

(2021) 02 JH CK 0097
In the Jharkhand High Court
Case No : A.B.A. No. 551 Of 2020

Avisekh Das And Ors

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

Date of Decision : 10-02-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2021) 02 JH CK 0097

Hon'ble Judges : Rongon Mukhopadhyay, J

Bench : Single Bench

Advocate : Jitendra Nath Upadhyay, Md. Hatim, Rohit Ranjan Sinha

Final Decision : Disposed Of

Judgement

Heard the parties.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application so far as petitioner no. 1 is concerned.

Permission, as sought for, is granted.

This application stands dismissed as withdrawn as against petitioner no. 1.

The petitioner no. 2 apprehends her arrest in connection with Complaint Case No. 473 of 2018.

The marriage of the complainant was solemnized with the son of petitioner no. 2 on 18.2.2017. It has been alleged that after marriage, there was a

demand of dowry and on non-fulfillment, she was subjected to torture. It has also been alleged that on 3.8.2018, the petitioner no. 2 as well as her son

had entered into the house of the complainant and had demanded Rs.1,00,000/- in cash as well as a motorcycle, failing which the complainant would

not be taken back to her matrimonial house.

Learned counsel for the petitioners has submitted that petitioner no. 2 is the mother in law of the complainant and infact on 3.8.2018, she was in

complete bed rest consequent to the fracture on her right leg. It has been stated that the allegations against the petitioner no. 2 are general and

omnibus in nature.

Learned counsel for the O.P. No. 2 has opposed the prayer for anticipatory bail of the petitioners.

It appears from a perusal of the complaint petition that specific allegation has been levelled against the husband of the complainant. So far as the

petitioner no. 2 is concerned, she being the mother in law and since a plausible explanation has been given with respect to the fact that she was under

bed rest consequent to an operation, I am inclined to extend the privilege of anticipatory bail to the petitioner No. 2.

The petitioner No. 2, named above, is accordingly directed to surrender in the court below within a period of four weeks from today and in that event,

she will be enlarged on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of

learned S.D.J.M, Seraikella in connection with Complaint Case No. 473 of 2018, subject to the conditions as laid down under Section 438(2) of the

Code of Criminal Procedure.

This application stands disposed off.