

(2020) 11 JH CK 0156
In the Jharkhand High Court
Case No : A.B.A. No. 5417 Of 2020

Basudeo Saw And Ors

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

Date of Decision : 03-11-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 120B, 323, 324, 376, 386, 417, 498, 498-A, 504, 508, 511
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 11 JH CK 0156

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Rakesh Kr. Gupta, Sunil Kr. Dubey

Final Decision : Allowed

Judgement

Heard the parties through video conferencing. Mr. Rakesh Kr. Gupta- learned counsel for the petitioners undertakes to remove the defects pointed

out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioners, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending their arrest in connection with Chalkusha P.S. Case No.22 of 2020 instituted under Sections 508, 511, 504, 341, 323, 324, 498-A, 386,

498, 417, 376, 120 (B)/34 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Let notice be issued to O.P. No.2 under registered cover with A/D as well as under ordinary process for which requisites etc. must be filed within

two weeks by the petitioners, failing which, this anticipatory bail application shall

stand dismissed without further reference to the Bench.

Learned counsel for the petitioners submits that the allegations against the petitioner are all false and general and omnibus in nature. It is then

submitted that because of marital discord between the petitioner No.3 and the informant, this false case has been foisted. Hence, it is submitted that

the petitioners be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

List this case on 05.01.2021.

Considering the submissions of learned counsels and the facts as discussed, I am inclined to pass an interim order of anticipatory bail to the petitioners

till 05.01.2021. In case of the petitioners being arrested by the police on or before 05.01.2021, they shall be released on bail provisionally on furnishing

bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of the officer concerned in

connection with Chalkusha P.S. Case No.22 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.