
(2017) 01 JH CK 0152
In the Jharkhand High Court
Case No : 2397 of 2016

Bishnu Chandra Choudhary

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 05-01-2017

Acts Referred:

[Indian Penal Code, 1860](#), [Section 498\(A\)](#)
-
Domestic Violence Act, 2005, Section 3, Section 4

Citation : (2017) 01 JH CK 0152

Hon'ble Judges : Anant Bijay Singh

Bench : SINGLE BENCH

Advocate : A. K. Das, Kumar Rashmi, Adv.

Judgement

1. The petitioner is apprehending his arrest in connection with the case registered under Section 498(A) of the Indian Penal Code and under Sections 3 & 4 of the Domestic Violence Act.
2. Pursuant to issuance of notice both the parties were appeared on 16.09.2016 before this Court and with the consent of the parties, the matter was referred to the D.L.S.A., Jamshedpur, but the conciliation was failed and the matter was directed to be heard on merit and the petitioner was directed to file summoning order.
3. Today, the learned counsel for the petitioner has filed the photo copy of the salary slip of the petitioner which reveals that he is working in Jamshedpur Continuous Annealing & Processing Company Private Ltd and his Net Pay is Rs.19,183/-
4. Learned counsel for the petitioner has submitted that there is omnibus allegation against the petitioner and the petitioner is ready for reconciliation.
5. On the other hand, learned counsel for O.P. No.02 opposes the prayer for bail.

6. Be that as it may, I am inclined to enlarge the petitioner on anticipatory bail, hence, the above named petitioner is directed to surrender in the Court below within four weeks from the date of this order and in the event of his arrest or surrender the Court below shall enlarge the above named petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jamshedpur, East Singhbhum in connection with C/1 Case No.2032 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C and also on the following conditions :- (i) that the petitioner shall deposit the arrear of ad interim maintenance @ Rs.3000/- per month from September, October, November, December, 2016 & January, 2017, amounting to Rs.15,000/- on the date of surrender in the court below. On deposition of the said amount, the O.P. No.02 will appear in the court below and file an application for withdrawal of the said amount. The court below shall disburse the said amount in favour of O.P. No.02 after proper verification.

(ii) that further from February, 2017 onwards, the petitioner shall deposit the ad interim maintenance of Rs.3000/- per month latest by 15th day of English calender in the court below till the disposal of the case, which will be disbursed in favour of O.P. No.02 after proper verification.

(iii) If the petitioner fails to deposit the aforesaid ad interim maintenance amount for the two successive months, it is open for O.P. No.02 to approach this Court for cancellation of bail of the petitioner.

(iv) the aforesaid amount of ad interim maintenance is subject to the result of the order passed by the competent court of jurisdiction.

7. Let a copy of this order be sent to the court below at once.