
(2020) 08 JH CK 0276
In the Jharkhand High Court
Case No : A.B.A. No. 2361 of 2020

Indrajeet Saw

APPELLANT

Vs

State of Jharkhand And Ors

RESPONDENT

Date of Decision : 27-08-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 341, 498A
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 08 JH CK 0276

Hon'ble Judges : Rongon Mukhopadhyay, J

Bench : Single Bench

Advocate : Mahesh Kr. Sinha, V.N. Jha, Ram Avtar Sharma

Final Decision : Allowed

Judgement

Heard learned counsel for the petitioner and learned counsel appearing for the State assisted by learned counsel appearing for the informant.

The petitioner apprehends his arrest in connection with Birni P.S. Case No. 94 of 2019, registered for the offence punishable under sections 341, 323, 498A, 34 of the Indian Penal Code and 3/4 of D.P. Act.

The marriage of the informant was solemnized with the petitioner in the year 2015. It has been alleged that after sometime she was subjected to torture by the accused persons. She has also alleged about a demand of Rs. 2,00,000/- made to her.

Learned counsel for the petitioner submits that the allegations are general and omnibus in nature. It has been stated that the petitioner is the husband of the informant and no specific allegations of overt act has been alleged against him.

Learned counsel for the informant has opposed the prayer for bail of the petitioner and apart from drawing the attention of the Court to the FIR, has stated that the petitioner works in an orchestra and having an illicit affair with

another lady.

It appears from the perusal of the FIR that the allegations are general and omnibus in nature. In fact, the entire family members of the petitioner including the married sister-in-law has also been roped in by alleging that they had also specifically committed assault upon her and had subjected her to torture.

In such facts and circumstances of the case, I am inclined to extend the privilege of anticipatory bail to the petitioner. Accordingly, the petitioner, above named, is directed to surrender in the court below within a period of four weeks from today and pray for regular bail, and in that event, he 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 C.J.M., Giridih, in connection with Birni P.S. Case No. 94 of 2019, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.