
(2023) 11 JH CK 0002
In the Jharkhand High Court
Case No : A.B.A. No. 8209 Of 2023

Mohammad Samsher Ansari @ Chand Ansari

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 01-11-2023

Acts Referred:

Indian Penal Code, 1860 — Section 341, 323, 498A, 506, 509
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2023) 11 JH CK 0002

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Sumit Prakash, Saket Kumar, Pran Pranay

Judgement

Anil Kumar Choudhary, J

Heard the parties.

Apprehending his arrest in connection with Pachamba P.S. Case No.46 of 2023 instituted under Sections 341, 323, 498-A, 506, 509 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner being the husband of the informant, has treated her with cruelty in connection with demand of dowry. It is submitted that the allegations against the petitioner are all false and general and omnibus in nature. It is next submitted that because of marital discord between the parties, this false case has been foisted against the petitioner. It is next submitted that the petitioner undertakes that he will not disturb or annoy the informant in any manner during the pendency of the case. It is lastly submitted that the petitioner undertakes to co-operate with the investigation of the case and to furnish sufficient security including cash security. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State being assisted by the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court below within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on depositing Rs.25,000/- as cash security and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Giridih in connection with Pachamba P.S. Case No.46 of 2023 with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case and will not disturb or annoy the informant in any manner during the pendency of the case and further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.