

(2020) 11 JH CK 0034
In the Jharkhand High Court
Case No : A.B.A. No. 3651 Of 2020

Neeraj Kumar Shahu @ Neeraj Kumar Sahu

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

Date of Decision : 05-11-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 406, 498A
Dowry Prohibition Act, 1961 — Section 3, 4
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 11 JH CK 0034

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Binit Chandra, Ashok Kumar, Jawahar Sah

Judgement

Heard the parties through video conferencing. Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Complaint Case No.3225 of 2017 registered under sections 498A/406/34 of the Indian Penal Code and under Section 3/4 of D.P. Act but cognizance has been taken under Section 498A of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegations against the petitioner are all false and are general and omnibus in nature. It is next submitted that the petitioner is ready and willing to resume conjugal life with the opposite party no.2 and the petitioner will go to his house where the complainant- opposite party no.2 is residing and resume conjugal life with her is also ready and willing to pay Rs.10,000/- per month from the date of his surrender during the pendency of the case as monthly ad interim victim compensation. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. and the learned counsel for the opposite party no.2 opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on satisfying the learned court below that he is living with the opposite party no.2 and keeping and maintaining the opposite party no.2 with full dignity and honour as his lawful wife and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Ranchi, in connection with Complaint Case No.3225 of 2017 with the condition that the petitioner will keep and maintain the opposite party no.2 with full dignity and honour as his lawful wife with further condition that the petitioner will pay Rs.10,000/- per month to the opposite party no.2 from the date of his surrender during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.