

(2020) 11 JH CK 0161
In the Jharkhand High Court
Case No : A.B.A. No. 5509 Of 2020

Pappu Kumar @ Pappu Nonia	Vs	APPELLANT
State Of Jharkhand And Ors		RESPONDENT

Date of Decision : 04-11-2020

Acts Referred:

Indian Penal Code, 1860 — Section 323, 328, 341, 498A, 506, 511
Dowry Prohibition Act, 1961 — Section 3, 4
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 11 JH CK 0161

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Shailesh, S.K. Srivastava, Rahul Pandey

Final Decision : Allowed

Judgement

Heard the parties through video conferencing. Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the

stamp reporter within two weeks after the lockdown period is over.

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

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Saraidhela P.S. Case No.160

of 2020 registered under sections 341/323/506/498A/328/511 of the Indian Penal Code and under Section 3/4 of D.P. Act.

The Learned counsel for the petitioner submits that the allegations against the petitioner are all false and the petitioner has no role in alleged

consumption of the phenyl by the victim. It is then submitted that the petitioner is ready and willing to pay Rs. 1,50,000/- as ad interim victim

compensation to the informant- opposite party no.2 without prejudice to his defence in this case and undertakes to cooperate with the investigation of the case. 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

depositing a demand draft of Rs. 1,50,000/- as ad interim victim compensation in favour of informant-opposite party no.2 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 C.J.M., Dhanbad, in connection

with Saraidhela P.S. Case No.160 of 2020 with the condition that the petitioner will cooperate with the investigation of the case and appear before the

Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the

undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr.

P.C.

In case, the petitioner deposits the ad interim victim compensation amount, the court below is directed to issue notice to the informant-opposite party

no.2 and hand over the said demand draft to her, after proper identification.

If the petitioner deposits the ad interim victim compensation to the informant-opposite party no.2, the same shall be adjusted towards maintenance or

one time settlement if and when the same takes place between the parties.