

(2020) 09 JH CK 0152
In the Jharkhand High Court
Case No : A.B.A. No. 4239 Of 2020

Poonam Singh @ Poonam Singh And Ors	APPELLANT
Vs	
State Of Jharkhand	RESPONDENT

Date of Decision : 21-09-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 307, 323, 341, 452
Code Of Criminal Procedure, 1973 — Section 156(3), 438(2)

Citation : (2020) 09 JH CK 0152

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Sajid Yunus, Vandana Bharti

Judgement

Heard the parties through video conferencing. Apprehending their arrest in connection with Charhi P.S. Case No.12 of 2020 instituted under Sections 323, 341, 307, 452/34 of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Mr. Sajid Yunus- learned counsel for the petitioners undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

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

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners have trespassed into the house of the informant and attempted to murder her cousin and injured her. It is submitted that the allegation against the petitioners is false. It is then submitted that there is inordinate delay in filing the complaint which upon being forwarded to police under Section 156 (3) Cr.P.C., this F.I.R. has been lodged. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case and to jointly pay ad interim victim compensation of Rs.5,000/- without

prejudice to their defence in this case in favour of the informant of this case. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned S.D.J.M., Hazaribag within six weeks from today and in the event of their arrest or surrendering, the petitioners will be enlarged on bail on jointly depositing a demand draft of Rs.5,000/- as ad interim victim compensation without prejudice to their defence in this case drawn in favour of the informant of this case and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount to the satisfaction of learned S.D.J.M., Hazaribag in connection with Charhi P.S. Case No.12 of 2020 with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioners deposit the said demand draft, the court below is directed to issue notice to the informant of this case and on her proper identification, the court below shall handover the same to her forthwith.