

(2021) 04 JH CK 0187
In the Jharkhand High Court
Case No : A.B.A. No. 2631 Of 2021

Radhika Mandal And Ors

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 17-04-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 342, 498A, 504, 506
Dowry Prohibition Act, 1961 — Section 3, 4
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2021) 04 JH CK 0187

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : A.K. Choudhary, S. Roy, Nilesh Kumar

Final Decision : Allowed

Judgement

Heard the parties through video conferencing. Learned counsel for the petitioners submits that he does not press the prayer for anticipatory bail of the petitioner no.2 as he has since been arrested.

Accordingly, the prayer for anticipatory bail of the petitioner no.2 is rejected as not pressed.

Apprehending their arrest, the petitioner nos.1 and 3 have moved this Court for grant of privilege of anticipatory bail in connection with Mahila (Bundu) P.S. Case No.18 of 2019 (G.R. Case No.150 of 2021) registered under sections 498A/ 504/ 506/ 323/ 342/34 of the Indian Penal Code and under Section 3/4 of D.P. Act.

So far as the petitioner nos.1 and 3 are concerned, the learned counsel for the petitioner nos.1 and 3 submits that the allegation against them is that the petitioner no.1 being the mother- in-law and petitioner no.3 being the brother-in-law of the informant has treated the informant with cruelty in connection with demand of dowry and the main allegation is against the husband of the informant. It is further submitted that the allegations against the petitioner nos.1

and 3 are all false and are general and omnibus in nature. It is then submitted that the petitioner nos.1 and 3 are ready and willing to cooperate with the investigation of the case. Hence, it is submitted that the petitioner nos.1 and 3 be given the privilege of anticipatory bail.

Learned Addl. P.P. and the learned counsel for the informant 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 nos.1 and 3 be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of six weeks from the date of this order, they shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., Ranchi, in connection with Mahila (Bundu) P.S. Case No.18 of 2019 (G.R. Case No.150 of 2021) with the condition that the petitioner nos.1 and 3 will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish their mobile numbers and a copy of their Aadhar Cards in the court below with the undertaking that they will not change their mobile numbers during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.