
(2011) 02 JH CK 0082
In the Jharkhand High Court
Case No : A.B.A. No. 4589 of 2010

Rajesh Ranjan

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 21-02-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 438(2)

Citation : (2011) 02 JH CK 0082

Hon'ble Judges : Prashant Kumar, J

Bench : Single Bench

Judgement

Prashant Kumar, J.—Anticipatory bail application filed by Petitioner Rajesh Ranjan is moved by Sri. R.S. Mazumdar and opposed by Sri. Prabhat Kumar Sinha , learned Counsel for the informant.

2. It appears from the report of Conciliator at Flag-A that both the parties had agreed to compromise the case in view of the condition mentioned in the said report.

3. In view of the said report, I allow this application and direct the Petitioner to surrender in the court below positively on 04.03.2011. On that date the informant is also directed to remain present in the court below and in that event, the court below will grant bail to the Petitioner, above named, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Ranchi in connection with Jagannathpur P.S. Case No. 266 of 2010 (G.R. No. 4098 of 2010), subject to the condition as laid down u/s 438(2) of the Cr.P.C., and subject to further following conditions.

(a) The O.P. 2 wife agreed to live along with her husband in the house of her father-in-law at Harmu Housing Colony No: M.I.G.-HI/26,P.S.-Argora District-Ranchi. Since the said premises is under tenancy, the father-in-law and the husband of O.P. No. 2 wife will get the said tenanted house vacated within two

three months and till then the husband will get the house or apartment under tenancy nearby the apartment of O.P. No. 2 and after getting the house or apartment, both of them along with their daughter will shift in that house. Be it noted that after vacation of tenant from the house of father-in-law, both the couple along with their daughter will shift in that house.

(b) It has also been agreed by the Petitioner husband that he will not keep any relationship with Payal Geoenka. The husband will also avoid to receive the night calls except the urgent calls, while residing in the house.

(c) The wife O.P. 2 also agreed not to check the Mobile and laptop of her husband and she will not talk with any friend of her husband.

(d) The Petitioner husband also agreed to attend the annual meeting of his daughter in school along with his wife O.P. 2.

(e) Both the Petitioner husband and O.P. 2 wife will not hurt the sentiments of each other.

(f) In case of any future dispute between the couple, the said disputes will be solved by them itself and if any intervention is required, their parents will interfere and will resolve their disputes.

(g) That the O.P. 2 wife agreed to dispose of the Criminal case filed by her by filing joint compromise petition in the lower Court.

(h) Both the couple also agreed to appear before the undersigned once in a month to show their conduct.

4. Court below is further directed to send the informant along with Petitioner after taking undertaking from both the parties that they will abide by aforesaid conditions. If any party have any grievance, they will file application in the court below that terms and conditions laid down in the conciliation proceedings has been violated by other party and the court below after making necessary enquiry and taking necessary evidence, will pass necessary orders.