

**(2021) 10 JH CK 0026**  
**In the Jharkhand High Court**  
**Case No : A.B.A. No. 8201 Of 2021**

Sudanshu @ Sudhanshu Yadav

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

**Date of Decision :** 28-10-2021

**Acts Referred:**

Indian Penal Code, 1860 — Section 34, 323, 324, 341, 354(B), 379, 452  
Code Of Criminal Procedure, 1973 — Section 438(2)

**Citation :** (2021) 10 JH CK 0026

**Hon'ble Judges :** Anil Kumar Choudhary, J

**Bench :** Single Bench

**Advocate :** Rajni Singh, Shailesh Kr. Sinha

## Judgement

Anil Kumar Choudhary, J

Heard the parties.

Apprehending their arrest in connection with Saraiyahat P.S. Case No.62 of 2021 instituted under Sections 341, 323, 324, 379, 452, 354 (B) and 34 of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner, in furtherance of the common intention with the co-accused person, trespassed to the house of the informant, outraged her modesty and committed theft of a silver chain from the neck of her sister. It is submitted that the allegation against the petitioner is false. It is next submitted that for the self-same occurrence, Saraiyahat P.S. Case No.63 of 2021 has also been lodged from the side of the petitioner. It is further submitted that the petitioner undertakes that he will not disturb or annoy the informant or any of her family members in any manner during the pendency of the case. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and to pay ad interim victim compensation of

Rs.10,000/- without prejudice to his defence in this case in favour of the informant. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned A.C.J.M., Dumka within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on depositing a demand draft of Rs.10,000/- as ad interim victim compensation without prejudice to his defence in this case drawn in favour of the informant and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Dumka in connection with Saraiyahat P.S. Case No.62 of 2021 with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case and he will not disturb or annoy the informant or any of her family members in any manner 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 petitioner deposits 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.