
(2021) 02 JH CK 0145
In the Jharkhand High Court
Case No : A.B.A. No. 7579 Of 2020

Sutanu Barat

APPELLANT

Vs

State of Jharkhand And Ors

RESPONDENT

Date of Decision : 17-02-2021

Acts Referred:

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

Citation : (2021) 02 JH CK 0145

Hon'ble Judges : Rongon Mukhopadhyay, J

Bench : Single Bench

Advocate : Durga C. Mishra, Shiv Shankar Kumar, S.P. Roy

Final Decision : Allowed

Judgement

Heard learned counsels for the respective sides. The defects, as pointed out by the office, are ignored. The petitioner apprehends his arrest in connection with Raneshwar P.S. Case No.44 of 2020.

The marriage of the informant was solemnized with the petitioner on 14.05.2019. It has been alleged that there was a demand of Rs.40,000/- and a Scooty and on non-fulfilment of which, she was subjected to torture. On 09.07.2020, the informant had left her matrimonial house.

It has been stated by the learned counsel for the petitioner that a complaint was made to the Chowringhee, O.P Police Station Kulti by the father of

the informant in which, the informant has categorically stated that she had left her matrimonial house on her own free will. It has further been stated

that the allegations are general and omnibus in nature and that the petitioner has also filed a suit for restitution of conjugal rights being Matrimonial Suit

No.316/2020.

Mr. S.P. Roy, learned counsel for the Opposite Party No.2 has referred to the injury report and has stated that the informant was subjected to torture

and assault, a few days after her marriage and the petitioner being the husband of the informant does not deserve privilege of anticipatory bail.

It appears from a perusal of the application submitted by the father of the informant that the informant had left her matrimonial house on her own free will.

Regard being had to the aforesaid facts, I am inclined to extend the privilege of anticipatory bail to the petitioner. The petitioner is directed to

surrender before the learned court below within four weeks from today and on such surrender, he shall be released on bail on furnishing bail bond of

Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Dumka in

connection with Raneshwar P.S. Case No.44 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.