

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B. A. No. 6554 of 2019

Animesh Pandey @ Animesh	...	Petitioner
Versus		
The State of Jharkhand & Anr.	...	Opposite Parties

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. S.P. Sinha, Adv.
For the State	: Addl. P.P.
For Opposite Party No. 2	: Mr. P.K. Chatterjee, Adv.

03/16.10.19 Heard the parties.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with C.P. case no. 2203 of 2018 registered under Sections 498A, 323 and 354 of the Indian Penal Code.

Both the petitioner and the opposite party no. 2 are present in the court today. The petitioner submits that he is not ready to resume conjugal life with the opposite party no. 2 on the ground that she is the accused in several criminal cases and because of her past conduct but opposite party no. 2 is ready to resume her conjugal life with the petitioner. The opposite party no. 2 submits that presents like sofa-set, Bed, T.V., utensils, cooler, washing machine, refrigerator, almirah etc. were given to the petitioner at the time her marriage with the petitioner.

The learned counsel appearing for the petitioner submits that the allegations against the petitioner are all false and those allegations are general and omnibus in nature. It is next submitted that the petitioner is ready to co-operate with the investigation of the case and also ready and willing to pay Rs. 1,00,000/- as ad interim victim compensation to the complainant-opposite party no. 2 without prejudice to his defence hence, the petitioner be given the privilege of anticipatory bail.

The learned Addl. PP and learned counsel for the opposite party no. 2 oppose the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Hence, in the event of arrest by the police or surrender within a period of four months from the date of this order, the petitioner shall be released on bail on depositing Rs. 1,00,000/- by way of demand draft drawn in favour of complainant-opposite party no. 2 as ad interim victim compensation and furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st class, Dhanbad in connection with C.P. case no. 2203 of 2018 subject to the conditions laid down under section 438 (2) Cr. P.C.

In case of depositing aforesaid demand draft by the petitioner, learned court below is directed to issue notice to the complainant-opposite party no. 2 and release the demand draft in her favour on proper identification forthwith and if the said amount is deposited by the petitioner, the same will be adjusted towards maintenance in any proceeding between the parties in future or the final settlement, if any, takes place between the parties.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-