

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3299 of 2019**

Raja Uddin Khan @ Rajauddin ... Petitioner
Versus
1. The State of Jharkhand
2. Rokshana Khatun ... Opposite Parties

CORAM:HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. R. Kumar, Advocate
For the State : Mr. G.S. Prasad, Addl. P.P.
For O.P. No.2 : Mr. Asif Khan, Advocate

Order No.03 Dated- 31.07.2019

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Jainagar P.S. Case No.288 of 2018 registered under sections 341/323/498A of the Indian Penal Code and under Section 3/4 of Prevention of Witch Practices Act.

Heard the parties.

Both the petitioner and opposite party no.2 are present in the Court today.

It is submitted by the petitioner that he is ready and willing to resume conjugal life with the opposite party no.2 but the opposite party no.2 submits that she is not ready and willing to resume conjugal life with the petitioner because of his past conduct and as she is apprehensive of her security in her in-laws house.

The Learned counsel for the petitioner submits that the allegations against the petitioner are all false and are general and omnibus in nature. It is, further, submitted that the petitioner is ready and willing to pay Rs. 50,000/- as ad interim victim compensation to the informant without prejudice to his defence in this case and undertake to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. assisted by the learned counsel for the opposite party no.2 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 be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of two months from the date of this order, he shall be released on bail on depositing a demand draft of Rs. 50,000/- as ad interim victim compensation in favour of informant-Rokshana Khatun and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Koderma, in connection with Jainagar P.S. Case No.288 of 2018 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioner deposits the ad interim victim compensation amount, the court below is directed to issue notice to the informant-Rokshana Khatun and hand over the said demand draft to her, after proper identification.

In case, the said amount is received by the informant, the same shall be adjusted with respect to the maintenance in any present or future proceeding between the parties or final settlement between the parties, if and when the same takes place

(Anil Kumar Choudhary, J.)

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