IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 8062 of 2019

1. Sudhir Modi
2. Yogendra Prasad @ Bittu Kumar … ... Petitioners

Versus

1. The State of Jharkhand
2. Gyanchand Modi … … Opp. Parties

CORAM: THE HON'BLE MR. ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sanajy Kumar Pandey, Advocate
For the Opp. Parties : Mr. Moti Gope, Addl. P.P.

Order No.04: Dated: 24th February, 2020

Per Anil Kumar Choudhary, J.:

Apprehending their arrest in connection with Complaint Case No.723 of 2019 instituted under Sections 417 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Heard learned counsel appearing for the petitioners and learned A.P.P appearing for the State.

Let notice be issued to O.P. No.2 under registered cover with A/D as well as under ordinary process for which requisites etc. must be filed within one week by the petitioners, failing which, this anticipatory bail application shall stand dismissed without further reference to the Bench.

Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners have taken a cash of Rs.1,51,000/- and jewelry of Rs.45,000/- for solemnizing marriage of the petitioner No.2 with the daughter of the complainant and are not returning the said money and did not solemnize the said marriage because of non-fulfilment of their further demand. It is submitted that the allegations against the petitioners are all false and general and omnibus in nature. It is then submitted that the petitioners have never taken any money or articles from the complainant. Hence, it is submitted that the

petitioners be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners. But, the learned counsel appearing for the opposite party no. 2 submits that at present he does not have any document to show entrustment of money.

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 petitioners be given the privilege of anticipatory bail. Hence, in the event of their arrest or surrender within a period of four weeks from the date of this order, they shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Koderma, in connection with Complaint Case No.723 of 2019 and subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

MM