IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.5156 of 2023

Sandeep Prasad, S/o Premtosh Prasad @ Parimtosh Prasad, R/o Village-Kukhi, Japla, P.O. & P.S.-Hussainabad, District-Palamu. ..... Petitioner.

-Versus-

The State of Jharkhand ..... Opp. Party.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. A.K. Kashyap, Sr. Advocate
Mr. Rupesh Singh, Advocate
For the State : Mr. Rajnessh Vardhan, A.P.P.
For the Informant : Mr. Deepankar, Advocate

Order No.17 **Date: 19.12.2024**

1. The petitioner apprehending his arrest in connection with Parsudih P.S. Case No.49 of 2021 registered for the offence punishable under Section 306 of the Indian Penal Code, 1860, has prayed for grant of anticipatory bail.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The allegation that the petitioner abated Anuradha Kumari (deceased) to commit suicide is completely false. In fact, Anuradha Kumari (younger sister of the informant) was the only working member in the family of the informant. Every member of the family was dependent upon her earning and due to the said reason, she used to be under immense mental pressure. Since the marriage between the petitioner and Anuradha Kumari was already fixed, he used to be in touch with her and also helped her financially on several occasions. Moreover, the petitioner's elder brother was married to the cousin (Mauseri Bahan) of the informant, hence, both the families were connected to each other. Since

Anuradha Kumari had lost her father sometime back and her all the three brothers were unemployed, the entire family was suffering from financial crisis due to which she had accept the service of Forest Guard in the Forest Department. Though in the morning hours of the date of occurrence i.e. 11th March, 2021 there were hot talks (through WhatsApp chat) between the petitioner and Anuradha Kumari in which the petitioner also made certain aspersions against her with respect to affair with someone else, yet, the same cannot be said to be abatement on his part so as to compel her to commit suicide, particularly because the said chat continued for about 2 hours and pursuant to the said aspersions made by the petitioner at around 8:33 am on the date of occurrence, she also made false allegation against him that he was having affair with another lady. Curiously enough the same allegation has been made by the informant in paragraph no.8 of the counter affidavit filed by him on 2nd August, 2023.

3. It is further submitted that the petitioner used to love Anuradha Kumari and he always showed his concern about her wellbeing. After the aforesaid WhatsApp chat, she was not responding his phone calls, whereafter the petitioner informed several members of her family about that. The said fact is evident from the written report of the informant itself. If the petitioner had any intention to abate her to commit suicide, he would not have made any such call to her family members. The petitioner

is a software engineer presently posted in Hyderabad and undertakes to co-operate in the ongoing investigation. Hence, he may be given the privilege of anticipatory bail.

4. Learned counsel appearing on behalf of the informant, while opposing the petitioner's prayer for grant of anticipatory bail, submits that there is specific allegation against the petitioner in the written report that he abated Anuradha Kumari to commit suicide. Hence, he may not be given the privilege of anticipatory bail.

5. Learned A.P.P. also opposes the petitioner's prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the materials available on record, I am inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the petitioner in the event of his arrest or surrender before the court below within three weeks from today, shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jamshedpur in connection with Parsudih P.S. Case No.49 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajesh Shankar, J.)

Vikas/