**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

A.B.A. No. 4935 of 2024

Amar Dutta son of Manik Chandra Dutta, resident of Nichu Bazar, Chandankiyari, P.O. & P.S.- Chandankiyari, District-Bokaro … … Petitioner

Versus

The State of Jharkhand …. … Opposite Party

**CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner : Mr. Baibhaw Gahlaut, Advocate
For the State : Mr. Vishwanath Roy, Spl.P.P.
For the Informant : Mr. N.K. Sahani, Advocate

**Order No. 08** **Dated: 11.12.2024**

The petitioner apprehending his arrest for the offences punishable under Sections 341/323/376/354C/504/506/34 of the Indian Penal Code, 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. Pursuant to lodging of the F.I.R., the case was investigated by the police and after recording the statements of several witnesses, final form was submitted in favour of the petitioner and co-accused Sanjay Dutta finding the allegation made in the F.I.R. as untrue. However, the learned Chief Judicial Magistrate, Bokaro, vide order dated 14.11.2022 while relying paragraph nos. 5, 6 and 19 of the case diary, differed with the finding of the concerned investigating officer and took cognizance of the offences punishable under Sections 341/ 323/ 376/ 354D/ 504/ 506/34 of the I.P.C. against the petitioner and co-accused Sanjay Dutta. Under the said circumstance, the petitioner having apprehension of his arrest, has filed the present anticipatory bail application.

**3.** Learned Spl.P.P. though opposes the petitioner's prayer for anticipatory bail, however while referring to the case diary, submits

that paragraph-5 of the same contains the statement of Ranjit Kumar (husband of the informant/victim), paragraph-6 contains the statement of one Suko Bouri (a hearsay witness) whereas paragraph-19 of the case diary contains the statement of the informant herself.

**4.** Learned counsel for the informant submits that the informant in her statement recorded under Section 164 of Cr.P.C. has supported the allegation made in the F.I.R.

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

**6.** Accordingly, the petitioner, above named, 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 Judicial Magistrate-1st Class, Bokaro in connection with Chandankiyari (Barmasia O.P.) P.S. Case No. 94 of 2021 corresponding to G.R. No. 1187 of 2022, subject to the conditions as laid down under Section 482(2) of the 'Bharatiya Nagarik Suraksha Sanhita, 2023'.

Ritesh/ **(Rajesh Shankar, J.)**