

(2025:JHHC:11102)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2313 of 2025

Praveen Nayak, age about 29 years, son of Kamal Nayak,
resident of Sauda D 19 Bhurkunda, P.O. & P.S.-Ramgarh,
Dist.-Ramgarh, State-Jharkhand

... Petitioner

Versus

1. The State of Jharkhand
2. Shobha Devi, wife of Prabin Nayak, daughter of Kishore
Nayak, r/o Village-Hochar, P.O. & P.S.-Kanke, Dist.-
Ranchi, Jharkhand ... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Gaurav Kumar, Advocate

For the State : Mr. Pankaj Kr. Mishra, Addl. P.P.

Order No.02 Dated- 11.04.2025

Heard the parties.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Kanke P.S. Case No.240 of 2024 registered for the offences punishable under sections 498A/312/34 of the Indian Penal Code and under Section 4 of Jharkhand Freedom of Religion Act, 2017.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner being the husband of the informant has treated her with cruelty in connection with demand of dowry and caused miscarriage of her child. It is further submitted that the allegations against the petitioner are all false and are general and omnibus in nature. It is then submitted that because of some marital discord, this false case has been foisted. It is next submitted that the petitioner is still ready and willing to resume conjugal life with the informant and will keep and maintain the informant with full dignity and honour as his lawful wife, if and when the informant is ready and willing to resume conjugal life with the petitioner. It is also submitted that the petitioner himself is a Hindu by faith hence, the question of converting the informant to Christianity does not arise. It is further submitted that the petitioner undertakes to furnish sufficient security including cash security and

also undertakes to cooperate with the investigation of the case and further undertakes that he will not insist the informant to change his religion and will not annoy or disturb the informant in any manner during the pendency of the case. It is lastly submitted that the co-accused person has already been given the privilege of anticipatory bail by this Court vide order dated 17.01.2025 in A.B.A. No.142 of 2025. Hence, it is submitted that the petitioner be also given the privilege of anticipatory bail.

Learned Addl. P.P. 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 abovenamed petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on depositing cash security of Rs.25,000/- 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 C.J.M., Ranchi, in connection Kanke P.S. Case No.240 of 2024 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 with further condition that the petitioner will keep and maintain the informant with full dignity and honour as his lawful wife, if and when the informant is ready and willing to resume conjugal life with the petitioner and will not insist the informant to change his religion nor will annoy or disturb the informant in any manner during the pendency of the case subject to the conditions laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Choudhary, J.)