

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3586 of 2025

Accused

.... **Petitioner(s).**

Versus

The State of Jharkhand

... **Opp. Party(s).**

.....
CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Sumit Prakash, Advocate

For the State : Mr. Rakesh Ranjan, Addl. P.P.

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04/ 09.07.2025: In the cause-title, the name of the petitioner has been withheld in terms of the direction of the Hon'ble Supreme Court, but it has been typed as victim. According to me, if the name of the accused is withheld for any reasons, he cannot be termed as a victim, as he is an accused. Thus, instead of describing him as "Victim" he should be described as "Accused".

2. Further, when there are several accused, they should be described also by giving serial number as per the F.I.R. or the complaint. Such numbering will be done in the ordersheet accordingly. For example, if the person who is appearing before the Court and prays for bail is accused No.4 in F.I.R. or complaint, then in the cause-title, he will be described as "Accused No.4".

3. Necessary correction should be made in the cause-title in this case.

4. Heard, learned counsel for the petitioner and learned counsel for the State.

5. This anticipatory bail application under Sections 482 and 484 of the Bhartiya Nagrik Surksha Sanhita, 2023, has been preferred by the petitioner apprehending his arrest for offences under Sections 126(2)/115(2)74/85/352/351(2)/79/3(5) of the Bharatiya Nyay Sanhita- 2023.

6. The allegation against this petitioner who happens to be the husband of the informant is that this petitioner had threatened the wife through the other accused persons to withdraw the cases.

7. Learned counsel for the petitioner submits that relationship between the husband and the wife is not cordial and there are several cases pending.

He submits in fact this petitioner is paying maintenance regularly to the wife, but this case is filed only to pressurize this petitioner.

8. Learned A.P.P. after going through the case-diary submits that relationship between the husband and the wife is not cordial and there are several litigations. He submits that petitioner used to torture the wife.

9. This instant case has been lodged on the ground that petitioner has given threat to his wife. The case-diary has been produced by the A.P.P. From the case diary, I find that there is no witness to support the allegation made in the F.I.R. It is only the informant who has narrated the fact of threat to her family members, thereafter lodged the case. The family members are hearsay witnesses. The independent witness had only stated that there was dispute between the husband and the wife, but so far as the threatening is concerned, which is the subject matter of this case, none has stated so.

10. Considering the aforesaid fact, I feel that this is a fit case for grant of anticipatory bail of the petitioner.

11. Accordingly, this Anticipatory Bail Application stands **allowed**. The petitioner, above named, is directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of his surrender or arrest, he shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate-XII, Ranchi, in connection with Mandar P.S. Case No.25 of 2025, subject to the condition that one of the bailers should be a close relative of the petitioner and other should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which he is having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property.

(ANANDA SEN, J.)