

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**B.A. No. 5919 of 2020**

Tinku @ Shabir @ Sushil Lakra @ Vikash Kumar .... Petitioner(s).  
Versus  
The State of Jharkhand ... Opp. Party(s).

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**CORAM : HON'BLE MR. JUSTICE ANANDA SEN.**  
**Through: Video Conferencing**

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For the Petitioner(s) : Mr. Lalan Kr. Singh, Advocate.  
For the State : A.P.P.

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02/09.09.2020: The lawyers have no objection with regard to the proceeding, which has been held through video conferencing today at 11:00 A.M. They have no complaint in respect of the audio and video clarity and quality.

Learned counsel for the petitioner(s) prays to ignore the defect(s), as pointed out by the office and take up the matter on merits.

However, counsel for the petitioner undertakes to deposit the court fees, if any, within two weeks from today. Rest of the defect(s) is ignored for the present.

Heard the counsel for the parties.

The petitioner is an accused for the offence punishable under Section(s) 376 of the Indian Penal Code.

Admittedly the victim is aged about 26 years. Her statement has been recorded under Section 164 Cr.P.C in which, she states that the occurrence had taken place six months back. The petitioner came to her house and established sexual relationship with her. Thereafter, the petitioner had taken the victim to different places where the victim accompanied the petitioner.

Learned A.P.P opposes the prayer for bail of the petitioner.

Considering the statement of the victim recorded under Section 164 Cr.P.C and the fact that she is major, I am inclined to release the petitioner on bail. Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Hazaribagh in connection with Katkamdag P.S. Case No. 27/2020 (G.R. No. 498/2020).

I direct the Jail Authority that before releasing the petitioner from jail, the Jail Authority should get the petitioner tested for COVID-19. If the report is positive, then the District Administration will immediately take steps to isolate the petitioner and get him treated in COVID-19 Centre by following all the protocols.

This direction is given in the larger public interest and it should not be as a condition of bail.