

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2754 of 2020

Gopal Jha **Petitioner**
Versus
1. The State of Jharkhand
2. Priti Kumari **Opposite Parties**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
Through- Video Conferencing

For the Petitioner : Mr. Pankaj Shrivastava, Advocate
For the State : Mr. Rajendra Ram Ravidas, A.P.P.

02/11.09.2020 Heard Mr. Pankaj Shrivastava, learned counsel appearing for the petitioner and Mr. Rajendra Ram Ravidas, learned A.P.P. for the State.

Defects as pointed out by the office are ignored.

The petitioner has prayed for grant of anticipatory bail, as he is apprehending his arrest in connection with Godda (Town) P.S. Case No. 233/2019.

An illicit relationship had developed between the petitioner and the informant. It has been alleged that on the false pretext of marriage she was taken to his house where she was subjected to rape and assault. Later on the petitioner refused to solemnize marriage.

It appears from the 164 Cr.P.C. statement of the victim that although she has reiterated what has been stated by her in the First Information Report but she has further stated that she is already a married women.

Thus there appears to be an apparent consent on the part of the informant as in spite of knowing about her marital status she willingly allowed herself to get into an illicit relationship with the petitioner.

In view of the statement recorded u/s 164 Cr.P.C. of the informant, I am inclined to extend the privilege of anticipatory bail to the petitioner. The petitioner accordingly is directed to surrender before the learned court below within a period of four weeks and on such surrender, he shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten

Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Godda in connection with Godda (Town) P.S. Case No. 233/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(R. Mukhopadhyay, J.)

Alok/-