

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 3475 of 2020

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1. Meghan Ram.
2. Guddu Das @ Om Prakash Das.
3. Putal Das @ Deepak Das. ....Petitioners

Versus

The State of Jharkhand. ....Opposite Party

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Coram: THE HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

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For the Petitioners : Mr. Kamdeo Pandey, Advocate  
For the State : Mr. Shailesh Kumar Sinha, A.P.P.  
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02/14-9-2020 Heard the parties.

So far as the defects, as pointed out by the office are concerned, learned counsel for the petitioners undertakes to remove the same once the situation normalizes.

The petitioners apprehend their arrest in connection with Giridih (M) P.S. Case No. 90 of 2020.

When the informant had gone to collect woods, she was accosted by the petitioners who tried to outrage her modesty and had also abused and assaulted her. The incident is said to have occurred on 29.03.2020 but the FIR was instituted after a delay of almost ten days without there being any reasonable explanation submitted by the informant regarding such delay.

From the FIR, it appears that the primary act alleged against the petitioners is abuse and assault and the allegation about outraging of modesty appears to be by way of an afterthought.

Learned counsel for the petitioners has submitted that the matter has been compromised between both the sides.

Irrespective of the compromise, which has been effected between the petitioners and the informant party on consideration of the aforesaid facts regarding non explanation of the delay in registration of the F.I.R. and the nature of allegations levelled against the petitioners, I am inclined to extend the privilege of anticipatory bail to the petitioners.

Accordingly, the petitioners, named above, are directed to surrender in the court below within a period of four weeks from today and pray for regular bail, and in that event, they will be enlarged on bail, on furnishing bail bond of Rs.10,000/- ( Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Giridih in connection with Giridih (M) P.S. Case No. 90 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(Rongon Mukhopadhyay, J)

Rakesh/-