

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6462 of 2021

Gulfam Hasan @ Gulfam Hussain @ Sonu Ansari @ Sonu Raza
..... Petitioner
Versus
The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Dilip Kr. Jaiswal, Advocate
For the State : Mrs. Snehlika Bhagat, Addl.P.P
For the Informant : Mr. Rajesh Mahata, Adv.

Order No.02 Dated- 09.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest in connection with Penk Narayanpur P.S. Case No. 25 of 2021 corresponding to G.R. No. 661 of 2021 instituted under Sections 376 of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner has committed rape upon the minor victim girl on the promise of marriage but he did not marry her. It is submitted that the allegation against the petitioner is false. It is next submitted that subsequently the father of the petitioner has also instituted a case being Gomia (Tenughat) P.S. Case No.63 of 2021 for the offences punishable under Section 406, 420, 506 of I.P.C. against the father of the informant. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and undertakes to pay ad interim victim compensation of Rs.2,00,000/- without prejudice to his defence in this case to the informant. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State assisted by learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the

Court within four months from today and in the event of his arrest or surrendering, the petitioner will be enlarged on bail on depositing a demand draft of Rs.2,00,000/- as ad interim victim compensation without prejudice to his defence in this case drawn in favour of the informant and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Bermo at Tenughat in connection with Penk Narayanpur P.S. Case No. 25 of 2021 corresponding to G.R. No. 661 of 2021 **with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioner deposits the said demand draft, the court below is directed to issue notice to the informant and on his proper identification, the court below shall handover the same to him forthwith.

(Anil Kumar Choudhary, J.)

Pappu/