

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No.6606 of 2021**

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1. Bishwajeet Ravidas			
2. Hardayal Ravidas	....	....	....
	Petitioners		
	Versus		
The State of Jharkhand	....	....	....
	Opposite Party		

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**CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioners	: Mr. Manoj Kr. Jha, Advocate
For the State	: Mr. Sanat Kr. Jha, Addl.P.P

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**Order No.02 Dated- 09.09.2021**

Heard the parties through video conferencing.

Apprehending their arrest in connection with Thakur Gangti P.S. Case No.02 of 2021 arising out of P.C.R. Case No.818 of 2020 instituted under Sections 376, 406, 120-B of the Indian Penal Code, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioner No.1 has committed rape upon the informant/victim on the allurements of marriage and took the informant/victim to Gujarat and forcibly made physical relationship with her there but did not marry her. It is submitted that the allegation against the petitioners is false. It is next submitted that the petitioners tried to force the petitioner No.1 to marry the informant but he refused to marry her, hence, this false case has been foisted against the petitioners. It is also submitted that there is no medical evidence to substantiate the allegations of rape against the petitioners. It is further submitted that so far as petitioner No.2 is concerned, only allegation against the petitioner No.2 is that at his instance, the petitioner No.1 is not solemnizing marriage with the informant and there is no allegation of committing rape against the petitioner No.2. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that so far as petitioner No.1 namely-Bishwajeet Ravidas is concerned, there is serious nature of allegation against him of committing rape upon the informant. Hence, the custodial interrogation of the petitioner No.1 namely-Bishwajeet Ravidas is required

during the investigation of the case to find out the details of the case. Therefore, it is submitted that the petitioner No.1 namely-Bishwajeet Ravidas ought not to be given the privileges of anticipatory bail.

Considering the serious nature of allegation against the petitioner No.1 namely-Bishwajeet Ravidas and the requirement of his custodial interrogation during the investigation of the case, this Court is of the considered view that this is not a fit case where the privileges of anticipatory bail be given to the petitioner No.1 namely-Bishwajeet Ravidas. Accordingly, the prayer for anticipatory bail of petitioner No.1 namely-Bishwajeet Ravidas is rejected.

So far as petitioner No.2 namely Hardayal Ravidas is concerned, considering the submissions of learned counsels and the facts of this case, I am inclined to grant privileges of anticipatory bail to the petitioner No.2 namely Hardayal Ravidas. Accordingly, the petitioner No.2 namely Hardayal Ravidas is directed to surrender in the Court of learned J.M.-1<sup>st</sup> Class, Godda within six weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1<sup>st</sup> Class, Godda in connection with Thakur Gangti P.S. Case No.02 of 2021 arising out of P.C.R. Case No.818 of 2020 **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 further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This bail application is disposed of accordingly.

**(Anil Kumar Choudhary, J.)**