IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 6655 of 2021

Dhiraj Kumar Singh @ Dhiraj Singh ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Mukesh Bihari Lal, Advocate For the State : Mr. Jitendra Pandey, Addl. P.P.

Order No.02 Dated- 10.09.2021

Heard the parties through video conferencing.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Khelgaon P.S. Case No.48 of 2020 registered under sections 323/341/354C/504/34 of the Indian Penal Code and under Section 8 of POCSO Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner committed sexual assault on the minor daughter of the informant and indulged in voyeurism. It is further submitted that the allegations against the petitioner are all false and first the wife of the petitioner lodged Khelgaon P.S. Case No.47 of 2020 and after that, this case has falsely been foisted. It is then submitted that the petitioner is ready and willing to pay Rs. 10,000/- as ad interim victim compensation to the informant without prejudice to his defence in this case, subject to final decision of the case and undertakes to cooperate with the investigation of the case and also undertakes that he will not annoy or disturb the informant or any of her family members in any manner during the pendency of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the

above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on depositing a demand draft of Rs. 10,000/- as ad interim victim compensation drawn in favour of informant without prejudice to his defence in this case, subject to final decision of the case and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.J.C.-IV-cum-Special Judge (POCSO), Ranchi, in connection with Khelgaon P.S. Case No.48 of 2020 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case with further condition that he will not annoy or disturb the informant or any of her family members in any manner during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioner deposits the ad interim victim compensation amount, the court below is directed to issue notice to the informant and hand over the said demand draft to her, after proper identification.

At the time of conclusion of the trial, the trial court will pass appropriate order regarding the money if any, deposited by the petitioner with the informant in connection with this case.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-