

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6085 of 2021**

Milan Kumar Choudhary @ Milan Choudhary

.... Petitioner

Versus

The State of Jharkhand

....Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. R.S. Mazumdar, Sr. Advocate

For the State : Mr. Priya Shrestha, Spl.P.P

Order No.02 Dated- 03.09.2021

Heard the parties through video conferencing.

Learned senior 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 senior counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest in connection with Giridih (Nagar) P.S. Case No. 228 of 2020 instituted under Sections 376, 452, 307, 325, 341, 34 of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned senior counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner along with the co-accused person committed rape upon the victim and attempted to murder Jitendra Verma causing injuries to his eyes. It is submitted that the allegation against the petitioner is false. It is next submitted that the petitioner is innocent and has not committed any offences and there is a specific allegation of assaulting Jitendra Verma is upon Bhudev Choudhary. It is further submitted that the petitioner 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. 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.20,000/- 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 Spl.P.P appearing for the State opposes 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 six weeks 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.20,000/- 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 CJM, Giridih in connection with Giridih (Nagar) P.S. Case No. 228 of 2020 **with the condition that he will cooperate 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** with 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 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 her proper identification, the court below shall handover the same to her forthwith.

(Anil Kumar Choudhary, J.)