

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.6120 of 2021

Jasmuddin Sheikh @ Josimuddin Sheikh @ Josimuddin Sk
..... Petitioner
Versus
The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Gautam Kumar Singh, Advocate
For the State : Mr. Sardhu Mahto, Addl.P.P

Order No.02 Dated- 07.09.2021

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 Radhanagar P.S. Case No. 564 of 2019 (G.R. No.2458 of 2019) arising out of P.C.R. Case No.619 of 2019 instituted under Sections 376 of the Indian Penal Code and Section 4 of POCSO Act, 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 committed rape upon the sister of the informant. It is submitted that the allegation against the petitioner is false. Drawing attention of this Court towards Annexure-3 at page nos.25-26 of the brief which is the copy of the certified copy of the joint compromise petition filed by the parties in the court of ASJ-I, Rajmahal, it is jointly submitted that therein, it has been mentioned that the matter has been settled between the parties and the informant does not want to proceed with the case. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.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, 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 ASJ-I, Rajmahal in connection with Radhanagar P.S. Case No. 564 of 2019 (G.R. No.2458 of 2019) arising out of P.C.R. Case No.619 of 2019 **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.

(Anil Kumar Choudhary, J.)

Pappu/