

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6147 of 2021

Kartik Kumar	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mrs. Rashmi Kumar, Advocate	
For the State	: Mrs. Snehlika Bhagat, Addl. P.P.	

Order No.02 Dated- 06.09.2021

Heard the parties through video conferencing.

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

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

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Satgawan P.S. Case No.42 of 2021 registered under sections 354 of the Indian Penal Code and under section 8 of the POCSO Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that when the victim girl along with her younger sister had gone to attend the call of nature, the petitioner reached there and caught hold of the victim girl from her back side and tried to commit rape upon her. It is further submitted that the allegations against the petitioner are all false and the petitioner and the victim are neighbours. It is then submitted that with a malifide intention this false case has been foisted and the informant took Rs.5,000/- as loan from the petitioner which the informant did not want to pay but when the petitioner demanded the said money several times, this false case has been foisted against the petitioner. It is next submitted that the petitioner is ready and willing to pay Rs.20,000/- as ad interim victim compensation to the informant without prejudice to his defence in this case and

undertakes to cooperate with the investigation of the case and also undertakes that he will not annoy or disturb the informant or 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 four months from the date of this order, he shall be released on bail on depositing a demand draft of Rs.20,000/- as ad interim victim compensation drawn in favour of informant without prejudice to his defence in this 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 1st Additional Sessions Judge, Koderma, in connection with Satgawan P.S. Case No.42 of 2021 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 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.

(Anil Kumar Choudhary, J.)