

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6171 of 2021

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

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. D.K. Chakraverty, Advocate
For the State	: Mrs. Anuradha Sahay, 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 Penk Narayanpur P.S. Case No.47 of 2018 registered under sections 366A/376 of the Indian Penal Code and under Section 8/12 of POCSO Act.

The Learned counsel for the petitioner submits that the co-accused persons have enticed away the minor victim girl and committed rape upon her on the pretext of taking her to Bombay and the allegation against the petitioner is that the petitioner is the owner of the Scorpio vehicle in which the said victim was taken. It is further submitted that the allegations against the petitioner are all false and though the FIR of this case was registered on 15.08.2018 but the vehicle in question was transferred to the name of the petitioner on 16.09.2018 that is after the date of occurrence and in this respect, learned counsel for the petitioner draws the attention of this Court to the copy of the vehicle particulars sent by the learned counsel for the petitioner through e-mail to the court master of this Court. It is next submitted that the co-accused

persons after trial has been acquitted by the learned trial court vide Judgment dated 11.04.2019 passed in Special POCSO Case No.90 of 2018 consequent upon the alleged victims not supporting the case of the prosecution. It is then submitted that the petitioner is ready and willing to cooperate with the trial 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 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.S.J.-I-cum-Special Judge (POCSO), Bokaro, in connection with Penk Narayanpur P.S. Case No.47 of 2018 with the condition that the petitioner will cooperate with the trial of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-