

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6309 of 2021

1. Rajesh Kumar		
2. Rahul Kumar	...	Petitioners
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners	: Mr. Shankar Singh, Advocate
For the State	: Mr. Tapas Roy, Addl. P.P.
For the Informant	: Mr. Zaid Ahmed, Advocate

Order No.02 Dated- 10.09.2021

Heard the parties through video conferencing.

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

Apprehending their arrest, the petitioners have moved this Court for grant of privilege of anticipatory bail in connection with Bankmore P.S. Case No.91 of 2021 registered under sections 341/323/376/511/504/506/34 of the Indian Penal Code.

The Learned counsel for the petitioners submits that the allegation against the petitioners is that the petitioners entered into the room of the wife of the informant and committed rape upon her. It is further submitted that the allegations against the petitioners are all false. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. and the learned counsel for the informant on the other hand vehemently opposes the prayer for grant of anticipatory bail and submits that there is specific allegation of attempting to commit rape upon the victim lady therefore, the custodial interrogation of the petitioners is required

during the investigation of the case. Hence, it is submitted that the petitioners ought not to be given the privilege of anticipatory bail.

Considering the serious nature of allegation against the petitioners as well as the requirement of their custodial interrogation during the investigation of the case, this Court is of the considered view that this is not a fit case where the above named petitioners be given the privilege of anticipatory bail. Accordingly, the prayer for grant of privilege of anticipatory bail of the above named petitioners is rejected.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-