

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 6341 of 2021

Mithilesh Kumar ... Petitioner

Versus

The State of Jharkhand & Anr. ... Opposite Parties

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Anuj Kr.Trivedi ,Adv.
For the State : Mr. Prabhu Dayal Agrawal ,Spl. P.P.

02 / 03.09.2021

Heard the parties through Video Conferencing.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Mahuadanr P.S. Case No. 49 of 2021 registered under Sections 376(2) (n)/ 323/ 504/ 506 of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner committed rape upon the informant-victim on the false pretext of marriage. It is then submitted that the allegations against the petitioner are all false and those allegations are general and omnibus in nature. It is next submitted that the petitioner is ready to co-operate with the investigation of the case and also undertakes to pay Rs. 2,10,000/- as ad interim victim compensation to the informant without prejudice to his defence hence, the petitioner be given the privilege of anticipatory bail.

The learned Spl. PP opposes the prayer for anticipatory bail of the petitioner.

Considering aforesaid facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Hence, in the event of arrest by the police or surrender within a period of four months from the date of this order, the petitioner shall be released on bail on depositing Rs. 2,10,000/- by way of demand draft drawn in favour of the informant as ad interim victim compensation without prejudice to his defence 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 JMFC, Latehar in connection with Mahuadanr P.S. Case No. 49 of 2021 subject to the condition that the petitioner will co-operate with the Investigation of the case and will appear before the Investigating Officer as and when noticed by him and will submit mobile number and photocopy of *Aadhaar* card at the time of surrender in the court below with an undertaking not to change mobile number during the pendency of the case along with the other conditions laid down under section 438 (2) Cr. P.C.

In case of depositing aforesaid demand draft by the petitioner, learned court below is directed to issue notice to the informant and release the demand draft in her favour on proper identification forthwith.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-