

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6397 of 2021

Navin Tirkey @ Navin Prakash Tirkey @ Naveen Tirkey
... Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Indrajit Sinha, Advocate
: Mr. Ankit Vishal, Advocate
For the State : Mrs. Priya Shrestha, Spl. P.P.

Order No.02 Dated- 06.09.2021

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.45 of 2021 registered under sections 376C/306/417 of the Indian Penal Code and under section 6(1) of the POCSO Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner abetted the suicide of the deceased; who is the daughter of the informant. It is further alleged that the petitioner established physical relationship with the deceased, promising to marry her and the informant agreed for the said marriage of the deceased with the petitioner but thereafter the deceased went into depression and on being enquired, the deceased told that the petitioner is refusing to marry her and on being enraged by the said act of the petitioner, the deceased locked her inside a room and committed self-immolation by pouring kerosene oil over her body. It is further submitted that the allegations against the petitioner are all false and the petitioner used to hire the tractor of the informant for his brick kiln business. It is then submitted that the petitioner never established physical relationship with the daughter of the informant. It is further submitted that the house of the petitioner is situated at a distance of 3 Km. away from the house of the informant, where allegedly the

deceased self-immolated her. It is then submitted that the victim was a major lady and there was a long gap in the petitioner last meeting the deceased and her committing suicide. It is next submitted that the petitioner is ready and willing to pay Rs.2,00,000/- 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. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Spl. 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.2,00,000/- 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, Latehar, in connection with Mahuadanr P.S. Case No.45 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 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 him, after proper identification.

(Anil Kumar Choudhary, J.)