

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 4043 of 2020

Sahnawaz Seikh @ Md. Sahnawaz **Petitioner**
Versus
The State of Jharkhand **Opposite Party**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
Through- Video Conferencing

For the Petitioner : Mr. Arun Kumar, Advocate
For the State : Mr. V. V. Pradhan, A.P.P.

02/29.07.2020

Defects as pointed out by the office are ignored.

Heard Mr. Arun Kumar, learned counsel for the petitioner and Mr. V. V. Pradhan, learned A.P.P. for the State.

The petitioner is an accused in connection with Chaibasa Sadar P.S. Case No. 94 of 2019, corresponding to Special (POCSO) Case No. 13 of 2019.

The petitioner and his friends were suspected to have enticed away the sister of the informant.

In the 164 CrPC statement of the victim, she has stated that she was enticed to go with the petitioner to various places. She has further stated that the petitioner had not established any physical relationship with her. However in her evidence as P.W. -1 in course of trial she had stated that the petitioner established physical relationship with her.

It appears from the documents of the Jharkhand Academic Council, Ranchi that the date of birth of the victim is 12.02.2001 which would indicate that at the time of the incident she was a major. Moreover, the victim seems to be changing her version quite frequently as although in her 164 CrPC she had disclosed about the petitioner not having established physical relationship with her but in her evidence before the Court during trial she has given an altogether different statement which itself casts a doubt over the case of the victim.

Regard being had to the aforesaid facts, the petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge – I, Chaibasa, in connection with Chaibasa Sadar P.S. Case No. 94 of 2019, corresponding to Special (POCSO) Case No. 13 of 2019.

(Rongon Mukhopadhyay, J.)