

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Rev. No.1663 of 2019

Narad Kumar Ram Petitioner

Versus

State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Mr. Manoj Kr. Mishra, Advocate

For the State : Mr. Hardeo Pd. Singh, APP

05/ 21.07.2020 Heard through V.C.

2. The instant application is directed against the order dated 29.11.2019, passed by the learned Additional Sessions Judge-I, Garhwa in Cr. Appeal (Juvenile) No.46 of 2019, whereby the learned trial court has rejected the appeal preferred by the petitioner against the order dated 04.10.2019, passed by the learned Principal Magistrate, Juvenile Justice Board, Garhwa, in connection with Nagar Untari Mahila P.S. Case No.16 of 2019, registered for the offence under Sections 376 D of the Indian Penal Code and 6 of the POCSO Act, pending in the court of learned Principal Magistrate, Juvenile Justice Board, Garhwa.

3. Learned counsel for the petitioner refers the Annexure-2 to this application which is a Social Investigation Report (SIR) and submits that the Legal cum Probation Officer, Garhwa after conducting the enquiry has submitted a report wherein he has recorded that nothing adverse has been found in character and behavior of the petitioner and the neighbours have not made any complaint about him. It has also been found that there is land dispute between the petitioner and victim's family. He further submits that the said report which is the document of the Government itself clearly states that there is no participation in occurrence to this petitioner. He further submits that the petitioner is

laying in jail custody since 10.09.2019 and his study has been badly affected due to the false implication in this case.

4. Learned APP for the State though opposes the prayer for bail but could not dispute the fact which is recorded in the Social Investigation Report that nothing adverse has been found in the character and behaviour of the petitioner and neighbours have not made any complaint about him.

5. In view of the aforesaid facts and circumstances of the case, the petitioner is directed to be released on bail. At present, the petitioner shall be released on furnishing personal bail bond of Rs.5,000/- (Five thousand only), thereafter, when the lockdown period is over the petitioner shall furnish bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Principal Magistrate, Juvenile Justice Board, Garhwa, in connection with Nagar Untari Mahila P.S. Case No. 16 of 2019, within a period of one month from the date of lifting of lockdown, subject to the condition that one of the bailors must be father of the petitioner.

6. Further, the petitioner shall appear on each and every date as fixed by the learned trial Court otherwise his bail bonds shall be cancelled.

7. With the aforesaid directions, this bail application is allowed and disposed of.

(Deepak Roshan, J.)