

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 1912 of 2021

Rahul Kumar Ray @ Rahul Ray ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : M/s. I. Sinha, A.K. Sah ,Adv.

For the State : Mr. S.K. Shukla ,Addl. P.P.

02/ 25.03.2021

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 B.S. City Mahila Bokaro P.S. Case No. 56 of 2020 registered under Sections 341, 323, 427, 448, 376, 504, 504, 506 of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner has committed rape upon the victim-informant lady. It is then submitted that the allegations against the petitioner are all false and there is delay of seven days in lodging the FIR though on the alleged date of occurrence on 19.12.2020, the police reached the place of occurrence upon being informed by the informant over the phone. It is further submitted by learned counsel for the petitioner that it is highly improbable that the petitioner alone without any arms could have ravished the victim in presence of her two daughters, one of 14 years and the other, older than her. It is further submitted by learned counsel for the petitioner that the petitioner is a home guard and the informant constructed house on the land of Bokaro Steel Plant, hence, the petitioner has been falsely implicated in the case. It is next submitted that the petitioner is ready to co-operate with the investigation of the case and also undertakes to pay Rs. 1,00,000/- as ad interim victim compensation to the victim- informant without prejudice to his defence and he undertake not to annoy or disturb the

informant or her family members in any manner during pendency of the case hence, the petitioner be given the privilege of anticipatory bail.

The learned Addl. 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. 1,00,000/- by way of demand draft drawn in favour of informant as ad interim victim compensation 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 J.M., 1st class, Bokaro in connection with B.S. City Mahila Bokaro P.S. Case No. 56 of 2020 subject to the condition that the petitioner will not annoy or disturb the informant or her family members in any manner during pendency of the case and 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/-