

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B. A. No. 1285 of 2021

Paramjeet Singh Saini ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. A.K. Kashyap, Sr. Adv.
For the State : Mr. Sardhu Mahto ,Addl. P.P.
For the informant : Mr. R. S. Mazumdar, Sr. Adv.

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 Bistupur P.S. Case No. 222 of 2020 registered under Sections 376 of the Indian Penal Code.

Learned senior counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner has committed rape upon the victim, who was wife of younger brother of the petitioner. It is then submitted that the allegations against the petitioner are all false. It is further submitted by learned senior counsel for the petitioner that it is highly improbable that the petitioner could have succeeded in exploiting the victim sexually for a continuous period of 18-20 years when the victim was residing in a two rooms house along with her father-in-law, mother-in-law and her two daughters, besides her husband. It is further submitted by learned senior counsel for the petitioner that the petitioner has been implicated in this case because of land dispute between the husband of the victim and the petitioner and only to harass the petitioner and to make him forego his claim in his joint ancestral property, this false case has been foisted against the petitioner hence, the petitioner be given the privilege of anticipatory bail.

The learned Addl. PP and learned senior counsel for the informant oppose the prayer for anticipatory bail of the petitioner

and they submit that the victim in her statement recorded under section 164 Cr.P.C., has vividly narrated the beastly acts of the petitioner of blackmailing her after establishing physical relationship with her at point of knife and she was threatened by the petitioner to make video of his sexual act with the victim viral, which forced the victim to consume pesticide and sleeping tablets and she was taken to TMH hospital for medical treatment. It is further submitted by learned Addl. PP and learned senior counsel for the informant that father and mother of the petitioner in their statement recorded under section 164 Cr.P.C. have also stated about the misdeed of the petitioner and they have seen the petitioner doing wrong things with the victim and custodial interrogation of the petitioner is required during investigation of the case for recovery of the obscene videos of the sexual act recorded by him, hence, this petitioner ought not be given the privilege of anticipatory bail.

Considering the direct allegation against the petitioner and the requirement of his custodial interrogation during the investigation of the case, this court is of considered view that this is not a fit case where the privilege of anticipatory bail be granted to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-