IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 3799 of 2020

Shankar Kumar Mahto ... ... **Petitioner**
Versus
The State of Jharkhand ... ... **Opposite Party**

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

For the Petitioner : Mr. A.K. Chaturvedy, Advocate
For the State : Mr. V.S. Sahay, A.P.P.
For the Informant : Mr. Janki Kr. Yadav, Advocate

04/14.12.2020 Heard Mr. A.K. Chaturvedy, learned counsel for the petitioner and Mr. V.S. Sahay, learned A.P.P. for the State assisted by Mr. Janki Kr. Yadav, learned counsel appearing for the informant.

The prayer for bail of the petitioner was earlier rejected in B.A. No. 2489 of 2019.

Submission has been advanced by the learned counsel for the petitioner while relying on the evidence of the informant that certain circumstances have been pointed out by the informant which is contrary to the allegations levelled in the First Information Report. It has further been stated that the petitioner is in custody since 26.11.2018.

Mr. Janki Kr. Yadav, learned counsel for the informant has stated that out of nine charge-sheet witnesses seven witnesses have been examined. It has further been stated that the petitioner had committed rape upon the informant and even after the husband of the informant returned the informant could not disclose the said fact to her husband out of fear of the petitioner.

The evidence of the informant who has been examined as P.W.2 discloses an inordinate delay in informing her husband about the alleged rape committed by the petitioner. The petitioner was working as a servant in the house as well as in the shop of the husband of the informant. The petitioner has remained in custody for more than two years and there is no chance of the trial being concluded in the near future.

On consideration of 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, Hazaribag in connection with S.T. No. 81/2019, arising out of Keredari P.S. Case No. 57 of 2018, corresponding to G.R. No. 66/2019.

(R. Mukhopadhyay, J.)

Alok/-