IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No.610 of 2020

Seraj Ansari **..... Petitioner**

Versus

The State of Jharkhand **..... Opp. Party**

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Petitioner : Mr. Lukesh Kumar, Advocate
For the State : Mr. Satish Prasad, A.P.P

04/Dated: 10th December, 2020

1. This revision is directed against the judgment/ order dated 01.07.2020, passed by learned Additional Sessions Judge -I, Hazaribag in Criminal Appeal (Juvenile) No.29 of 2020, whereby the prayer for bail of the petitioner/ juvenile (in conflict with law) has been rejected in connection with Bishnugarh P.S. Case No.42 of 2020, registered under Sections 341, 354(A), 376, 511 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act.

2. Heard learned counsel for the petitioner and learned A.P.P.

On perusal of the case diary, it appears that the victim was examined by the Doctor and as per the radiological report, her age has been assessed between 18 to 19 years, whereas her date of birth has been recorded as 15.04.2020. The occurrence had taken place on 19.02.2020 and the F.I.R was lodged on 21.02.2020. In the F.I.R she has stated that the petitioner had tried to commit rape on and when she raised *hulla* then the petitioner fled into the jungle. In the statement under Section 164 Cr.P.C, she has stated that the petitioner had committed rape on her. The Doctor did not find any mark of violence or injury on the body or private part of the victim.

Having regard to the materials on record, the petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned

Principal Magistrate, Juvenile Justice Board, Hazaribag, in connection with Bishnugarh P.S. Case No.42 of 2020, on the condition that one of the bailors shall be a close relative/ natural guardian, who shall give an undertaking **(i)** to ensure the good behaviour of the petitioner, **(ii)** to ensure that the juvenile petitioner does not come in contact with any anti-social elements, and **(iii)** produce the juvenile/petitioner before the Probation Officer as and when directed by the Board. The Probation Officer shall submit the supervision report to the Board for needful.

3. In case of any adverse report, the Board is at liberty to pass necessary order in accordance with the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015. The petitioner/juvenile shall co-operate and be present before the Board as and when directed, till conclusion of the enquiry.

4. With the aforesaid direction, the revision is, hereby, allowed.

(AMITAV K. GUPTA, J.)

Chandan/-