IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 9436 of 2020

Laxmikant Mahto … Petitioner
Versus
The State of Jharkhand ⋯ Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Laxman Kumar, Advocate
For the State : Mr. Suraj Verma, Spl. P.P.

Order No.02 Dated- 10.12.2020

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

The petitioner has moved this Court for grant of bail in connection with Sonahatu P.S. Case No.28 of 2020 registered under sections 376/493 of the Indian Penal Code and under section 4/6 of the POCSO Act.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner established sexual relationship with the victim after solemnizing marriage in village temple. It is further submitted that the allegations against the petitioner are all false. It is then submitted that the petitioner has not attained the legal age for marriage, hence he is not able to solemnize marriage at this age. It is next submitted that the petitioner has been in custody since 15.05.2020 as has been mentioned in paragraph no. 5 of the bail application. It is lastly submitted that the petitioner undertakes to cooperate with the trial of the case. Hence, it is submitted that the petitioner be admitted to bail.

The learned Addl. P.P. opposes the prayer for bail.

Considering the submissions of the counsels and the fact as discussed above, I am inclined to enlarge the above named petitioner on bail. Accordingly, the petitioner is directed to be released on bail

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 Additional Judicial Commissioner-IV-cum-Special Judge (POCSO), Ranchi, in connection with Sonahatu P.S. Case No.28 of 2020 with the condition that he will cooperate with the trial of the case.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/