IN THE HIGH COURT OF JHARKHAND AT RANCHI
B. A. No. 9527 of 2020

Manish Kumar … Petitioner

Versus

The State of Jharkhand … Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. R.S. Mazumdar, Sr. Adv.
For the State : Mr. Rajesh Kumar, Addl. P.P.

02 / 09.12.2020 Heard the parties through Video Conferencing.

Learned senior counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned senior counsel for the petitioner the defects pointed out by the Stamp Reporter are ignored for the present.

The petitioner has been made accused in connection with Kanke P.S. case no. 103 of 2020 instituted under sections 363 of the Indian Penal Code.

Learned senior counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner abducted the victim forcing her to marry him. It is then submitted by learned senior counsel for the petitioner that the allegation against the petitioner is false. It is further submitted by learned senior counsel for the petitioner that the victim in her statement recorded under section 164 Cr.P.C has disclosed her age to be 18 years and the learned Magistrate, before whom the said statement has been recorded, has also mentioned the age of the victim to be 18 years. It is further submitted by learned senior counsel for the petitioner that the petitioner established physical relationship with the consent of the victim and she remained with the petitioner for five days voluntarily. It is further submitted by learned senior counsel for the petitioner that the petitioner has been in jail custody since 20.06.2020 as mentioned in paragraph 9 of the bail application and the petitioner is ready and willing to co-operate with the trial of the case hence, the petitioner may be released on bail.

Learned Addl. P.P. opposes the prayer for bail of the petitioner but fairly submits that as per the school certificate of the victim, her date of birth is 11.05.2005.

Considering the facts of the case, 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 CJM, Ranchi in connection with Kanke P.S. case no. 103 of 2020 subject to the condition that the petitioner will co-operate with the trial of the case.

(**ANIL KUMAR CHOUDHARY, J.)**

Smita/-