IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 9859 of 2020

Barjesh Ram @ Brajesh Ram … Petitioner
Versus
The State of Jharkhand ⋯ Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. S.K. Tiwari, Advocate
For the State : Mr. J. Pandey, Addl. P.P.

Order No.02 Dated- 15.12.2020

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 Kandi P.S. Case No.88 of 2020 registered under sections 366A of the Indian Penal Code and under Section 4 of POCSO Act.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has enticed away the victim minor girl. It is further submitted that the allegations against the petitioner are all false and drawing attention of this Court to the statement of the victim recorded under Section 164 Cr.P.C., it is submitted that the learned Magistrate has assessed the age of the victim to be 18 years and in her statement the victim has categorically stated that she the wants to marry the petitioner and the petitioner has not enticed her. It is next submitted that the petitioner has been in custody since 27.02.2020 as has been mentioned in paragraph no. 10 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 A.S.J.-I-cum-Special Court, Garhwa, in connection with Kandi P.S. Case No.88 of 2020 with the condition that the petitioner will cooperate with the trial of the case.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/