IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 9778 of 2020

Binod Oraon … Petitioner

Versus

The State of Jharkhand ⋯ Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Altamash Khan, Advocate
For the State : Mr. M. Palit, 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 Lohardaga Mahila P.S. Case No.23 of 2020 (Special POSCO No.21 of 2020) registered under sections 376D/307/109 of the Indian Penal Code and under Section 6 of POCSO Act.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has committed gang rape upon the victim. It is further submitted that the allegations against the petitioner are all false and drawing attention of this Court to running page no.21 of the brief which is a copy of the order by which prayer for bail of the petitioner has been rejected by the learned Additional Sessions Judge-I, Lohardaga, it is submitted that Binod Oraon son of Hooda Oraon has committed rape to the victim and the only allegation against the petitioner is that the petitioner of the same name Binod Oraon, of course with a different parentage, was of catching hold of the hand of the friend of the victim namely Suraj Oraon. It is next submitted that the petitioner has been in custody since 16.06.2020 as has been mentioned in paragraph no. 12 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, Lohardaga, in connection with Lohardaga Mahila P.S. Case No.23 of 2020 (Special POSCO No.21 of 2020) with the condition that the petitioner will cooperate with the trial of the case.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/