IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 10099 of 2020

Pramod Kumar … Petitioner
Versus
The State of Jharkhand ⋯ Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. P.K. Rahul, Advocate
For the State : Mr. Shailesh Kr. Sinha, Addl. P.P.

Order No.02 Dated- 17.12.2020

Heard the parties through video conferencing.

The petitioner has moved this Court for grant of bail in connection with Latehar (Mahila) P.S. Case No.06 of 2020 registered under sections 376/120B of the Indian Penal Code.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner committed rape upon the complainant whose complaint upon being referred to police under section 156(3) Cr.P.C, this case has been registered. It is further submitted that the allegations against the petitioner are all false. It is then submitted by the learned counsel for the petitioner, drawing attention of this Court to page no.23 of the brief which is the copy of the certified copy of the joint compromise petition filed by the parties in the court of Chief Judicial Magistrate, Latehar, that the parties have settled the matter and because of some misunderstanding, this case was instituted. It is further submitted that the victim is a major lady as is evident from her statement recorded under section 164 Cr.P.C. It is next submitted that the petitioner has been in custody since 11.09.2020 as has been mentioned in paragraph no. 1 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 Chief Judicial Magistrate, Latehar, in connection with Latehar (Mahila) P.S. Case No.06 of 2020 with the condition that he will cooperate with the trial of the case.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/