IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 1723 of 2026

Upendra Kumar son of Binod Ram … … **Petitioner**
Versus
The State of Jharkhand … … **Opp. Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. A.K. Chaturvedy, Advocate
For the State : Mr. Suraj Deo Munda, APP

03/**04.05.2026** Heard the learned counsel appearing on behalf of the parties.

2. Learned counsel for the petitioner submits that the petitioner is in custody in connection with Garhwa P.S. Case No. 441 of 2025, corresponding to G.R. No. 1201 of 2025, S.T. No. 16 of 2026 for the offences registered under Sections 69, 313, 352, 115(2) and 93 of the B.N.S. 2023 and cognizance has been taken under Sections 69, 89, 352, 115(2) and 93 of the B.N.S. 2023, pending in the court of learned District and Sessions Judge-II, Garhwa.

3. Learned counsel for the petitioner submits that petitioner is in custody since 13.10.2025 and as per the FIR it appears that there was relationship relation between the victim and the petitioner on the pretext of marriage. He further submits that as per medical examination report, victim is a major and during investigation it has come that she was already married lady. Statement to that effect has been recorded of her husband and her father-in-law in paragraph 76 and 77 of the case diary.

4. Learned counsel for the opposite party-State though has opposed the prayer but has not disputed the submissions which have been made by the learned counsel for the petitioner. However, he has submitted that as per the FIR, the petitioner subjected the victim for repeated abortion and ultimately a child has been born on 30.09.2025.

5. Learned counsel for the informant has opposed the prayer and has submitted that first incident is of the year 2022 was forceful act of rape in the house of the victim. He has further submitted that he is not aware about the statement of the husband of the victim or the statement of the father-in-law of the victim as recorded in the case diary. FIR was instituted on 03.10.2025.

6. After hearing the learned counsel for the parties and considering the aforesaid facts and circumstances and the fact that it has come on record that the victim was a married lady and she has made an allegation that on the pretext of marriage, the petitioner continued to exploit her and charge sheet has been submitted on 30.11.2025, the petitioner above named is directed to be enlarged on bail on his furnishing bail bond of Rs. 25,000/- (Rs. Twenty-five thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-II, Garhwa, in connection with Garhwa P.S. Case No. 441 of 2025, corresponding to G.R. No. 1201 of 2025, S.T. No. 16 of 2026, on the following conditions:

(i) One of the bailors would be the present *pairvikar* of the petitioner.

(ii) The other bailor should be his close relative.

(iii) The petitioner will attend the court on each and every date and on account of his single default, the learned court shall cancel the bail bond furnished by the petitioner.

(iv) The petitioner will deposit a self-attested copy of his Aadhar Card along with his mobile number before the learned court which he will not change during the pendency of the case without prior permission of the court.

(v) The petitioner shall fully co-operate with the proceedings before the learned court below.

7. Let this order along with a copy of the affidavit filed with the bail petition be communicated to the court concerned through FAX/e-mail.

8. The instant bail application is allowed with the aforesaid conditions.

(Anubha Rawat Choudhary, J.)

Dated: 04.05.2026

Uploaded on: 05.05.2026

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