

(2020) 07 JH CK 0070
In the Jharkhand High Court
Case No : Criminal Revision No. 430 of 2020

Ajit Kumar Das

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 07-07-2020

Acts Referred:

Indian Penal Code, 1860 — Section 366(A), 376D
Protection of Children from Sexual Offences Act, 2012 — Section 5(g), 6

Citation : (2020) 07 JH CK 0070

Hon'ble Judges : Amitav K. Gupta, J

Bench : Single Bench

Advocate : Rashmi Kumari, Shekhar Sinha

Final Decision : Allowed

Judgement

1. This revision is directed against the order dated 27.02.2020, passed in Cr. Appeal(Spl. Children Court) No.03 of 2020, whereby the learned

Additional Sessions Judge-I, Cum-Children's Court Koderma, has rejected the prayer for bail of the petitioner in connection with Markacho P.S. Case

No.52 of 2018, registered under Sections 366(A), 376-D of the Indian Penal Code & Section 6 read with 5(g) of POCSO Act.

2. Having heard the learned counsel for the petitioner and learned A.P.P, it appears that the case of the petitioner stands on better footing to that of

co-accused, Shanawaj Ansari @ Sahnawaz Ansari, who has been granted bail in Cr. Revision No.1258 of 2019 (Annexure-4) vide order dated

18.10.2019.

Accordingly, the petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten thousand only) with two sureties of

like amount each to the satisfaction of learned Principal Magistrate, Juvenile

Justice Board, Koderma, in connection with Markacho P.S. Case No.52

of 2018, on the condition that one of the bailor shall be his father, who shall give an undertaking (i) to ensure proper supervision and good behaviour of

the petitioner, (ii) he shall ensure that the petitioner does not come in contact with any anti-social element, and (iii) shall produce the petitioner before

the Probation Officer as and when directed by the Board who shall submit the supervision report to the Board, if so directed by the Board.

If any adverse remark is made then the Board is at liberty to pass necessary order to the effect of cancelling the bail of the petitioner. The petitioner

shall be present before the Board till the conclusion of the enquiry.

3. With the aforesaid direction, the revision stands allowed.