

(2023) 02 JH CK 0039

In the Jharkhand High Court

Case No : Bail Application No. 12362 Of 2022

Amit KumarVs State Of Jharkhand

Date of Decision : 23-02-2023

Acts Referred:

Indian Penal Code, 1860 — Section 376

Citation : (2023) 02 JH CK 0039

Hon'ble Judges : Rajesh Kumar, J

Bench : Single Bench

Advocate : Prabhat Kr. Sinha, Mohua Palit

Judgement

Rajesh Kumar, J

1. Heard learned counsel for the applicant and learned counsel for the State.
2. The applicant who is in custody since 18.09.2022 has approached this Court for grant of regular bail in connection with Ichak P.S. Case No.174 of 2022, registered for the offence under Section 376 of the Indian Penal Code.
3. It appears that the applicant is accused of committing rape upon the victim on the false pretext of marriage.
4. It has been submitted by the learned counsel for the applicant(s) that complete set of FIR along with its enclosure have been annexed with this bail application and there is no suppression on his/her part.
5. Innocence has been claimed by the learned counsel for the applicant and undertaking has been given for participation in the trial. Further, it has been submitted that as per the allegation the relationship was consensual. On the above basis, prayer for bail has been made.
6. Learned counsel for the State has opposed the prayer for bail stating that he has committed rape on the pretext of marriage but he has broken the promise of marriage.
7. Considering the fact that both parties are major, the applicant, named above,

is directed to be released on bail, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Hazarbag in connection with Ichak P.S. Case No.174 of 2022, subject to condition that the applicant will submit self-attested photocopy of his Aadhaar Card and also submit his mobile number before the learned court below which he will always keep active and will not change it during pendency of this case without prior permission of the court.