
(2021) 01 JH CK 0163

In the Jharkhand High Court

Case No : Bail Application No. 11057 Of 2020

Anand Mahto @ Anand Kumar Mahto

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 14-01-2021

Acts Referred:

Indian Penal Code, 1860 — Section 354(D), 376, 506, 509
Protection of Children from Sexual Offences Act, 2012 — Section 4, 6, 12
Code Of Criminal Procedure, 1973 — Section 164

Citation : (2021) 01 JH CK 0163

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Santosh Kumar, Rakesh Ranjan

Final Decision : Allowed

Judgement

Heard the parties through video conferencing.

Learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

The petitioner has been made accused in connection with Nawadih P.S. Case No.64 of 2020 corresponding to Special POCSO Case No.67 of 2020

registered under sections 354 (D), 506, 509 of the Indian Penal Code and Section 12 of POCSO Act and charge-sheet submitted under Section 376 of

the Indian Penal Code and Section 4 and 6 of POCSO Act.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has outraged the modesty of the informant. It is

submitted that the allegation against the petitioner is false. Drawing attention of this Court towards the copy of the certified copy of the statement of

the victim recorded under Section 164 Cr.P.C., learned counsel for the petitioner submits that therein the victim has stated that she was in love with

the petitioner and physical relationship was established between them and she out of her own will went to the house of her uncle. It is next submitted

that the petitioner undertakes to co-operate with the trial of the case. It is lastly submitted that the petitioner has been in custody since 11.07.2020

which is evident from para-6 of the instant bail application. Hence it is submitted that the petitioner be released on bail.

Learned Addl. P.P. opposes the prayer for bail. Considering the facts of this case, the above named petitioner is directed to be enlarged 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 Additional

Sessions Judge-1st-cum Special Judge, Bokaro in connection with Nawadih P.S. Case No.64 of 2020 corresponding to Special POCSO Case No.67

of 2020 with the condition that he will co-operate with the trial of the case.