

(2017) 03 JH CK 0060
In the Jharkhand High Court
Case No : 8638 of 2016

Bablu Ansari @ Irsad Ansari @ Aslam Ansari

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 16-03-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 313](#) - Power to examine the accused
[Indian Penal Code, 1860](#), [Section 417](#),
[Section 376\(D\)](#) - Punishment for

Citation : (2017) 03 JH CK 0060

Hon'ble Judges : Rajesh Shankar

Bench : SINGLE BENCH

Advocate : Ram Lakhan Yadav, Azeemuddin

Final Decision : Dismissed

Judgement

1. Heard the learned counsel for the parties.
2. The petitioner is an accused in a case registered under Sections 417/376(D) of the Indian Penal Code and Section 3(x) (xi) (xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The informant has implicated the petitioner out of own grudge and malice. The petitioner has not committed the alleged rape as has been stated by the informant in her written report. The learned counsel further submits that the petitioner after performing "Mukhagni" ritual of his father (since dead) has surrendered before the trial court on 31.01.2017. The petitioner is in judicial custody since 05.12.2014 and, therefore, he may be given the privilege of regular bail.
4. The learned A.P.P. while referring to the status report submitted by the

concerned trial court submits that the prosecution evidence has already been concluded on 03.03.2017.

5. The statement of the petitioner has also been recorded under Section 313 Cr.P.C . on 06.03.2017 and now, the case is pending for examination of defence witnesses.

6. Considering the fact that the trial is at concluding stage, I am not inclined to enlarge the petitioner on regular bail. Accordingly, the bail application of the petitioner is hereby dismissed.