

(2020) 12 JH CK 0135
In the Jharkhand High Court
Case No : A.B.A. No. 6202 Of 2020

Birendra Prasad Yadav @ Binod Prasad Yadav And Ors
Vs

APPELLANT

State Of Jharkhand

RESPONDENT

Date of Decision : 16-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 354, 379
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 12 JH CK 0135

Hon'ble Judges : Rongon Mukhopadhyay, J

Bench : Single Bench

Advocate : Randhir Kumar, Rajendra Ram Ravidas

Final Decision : Allowed

Judgement

Heard the parties.

Defects as pointed out by the office are ignored. The petitioners are apprehending their arrest in connection with Satgawan P.S. Case No. 54 of 2020.

It has been alleged that the accused persons had outraged the modesty of the informant. She was also assaulted with an iron rod and they have taken

away ornaments and LIC papers. It has been alleged that on 18.05.2020, the accused persons had set on fire the house of the informant.

Learned counsel for the petitioners submits that one of the co- accused Pintu Kumar has also lodged a counter case being Satgawan P. S. Case No.

55 of 2020, though after the case instituted by the informant. Learned counsel has also submitted that in course of investigation, offences under

Sections 354 B and 379 of I.P.C. were not found to be true against the petitioners. It has also been alleged that the fire was not put on the house but

in the shed outside the house of the informant.

Learned A.P.P. for the State has opposed the prayer. In view of the submission advanced by the learned counsel for the petitioner, it appears that

most of the allegations levelled in the FIR seems to have been disbelieved. So far as the question of putting fire on the house of the informant is

concerned, the same seems to be on the shed outside the house. It also appears that there is a case and counter case between the parties.

On consideration of the above, I am inclined to extend the privilege of anticipatory bail to the petitioners.

Accordingly, the petitioners above named are directed to surrender in the court below within four weeks and pray for bail, and in that event, they shall

be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of

learned C.J.M., Koderma in connection with Satgawan P.S. Case No. 54 of 2020, subject to the conditions as laid down under Section 438 (2) of the

Code of Criminal Procedure.

This application stands allowed.