

(2021) 11 JH CK 0030
In the Jharkhand High Court
Case No : A.B.A. No. 8288 Of 2021

Gulam Sahabaj And Others

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 01-11-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 341, 342, 354, 354(D), 504, 509
Protection Of Children From Sexual Offences Act, 2012 — Section 12
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2021) 11 JH CK 0030

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Sanjay Kumar, Santosh Kr. Shukla

Judgement

Anil Kumar Choudhary, J

Heard the parties.

Apprehending their arrest in connection with Marafari P.S. Case No.73 of 2021 instituted under Section 341, 323, 342, 354, 354 (D), 504, 509, 34 of the Indian Penal Code and Section 12 of POCSO Act, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that the petitioners outraged the modesty of the daughter of the informant. It is submitted that the allegation against the petitioners is false. It is next submitted that the parties have settled the matter outside the court and in this respect, learned counsel for the petitioners draws the attention of this Court towards the copy of the certified copy of the joint compromise petition filed by the parties in the court of Sessions Judge, Bokaro kept at page-31-34 of the brief. It is lastly submitted that the petitioners are ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court of learned Additional Sessions Judge-1st-cum-Special Judge, Bokaro within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st-cum-Special Judge, Bokaro in connection with Marafari P.S. Case No.73 of 2021 with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile number and photocopy of the Aadhar Card with an undertaking that they will not change their mobile number during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.