

(2017) 08 JH CK 0017
In the Jharkhand High Court
Case No : 5341 of 2017

Manju Kumari Singh @ Smt. Manju Singh	APPELLANT
Vs	
Avinash Kumar Singh	RESPONDENT

Date of Decision : 11-08-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 164](#) - Recording of confessions and statements

Citation : (2017) 08 JH CK 0017

Hon'ble Judges : Shree Chandrashekhar

Bench : SINGLE BENCH

Advocate : Arvind Kumar Choudhary, Nehru Mahto

Final Decision : Allowed

Judgement

1. Case-diary has been received by the learned A.P.P. Heard the learned counsels appearing for the parties and perused the documents on record.

2. On an allegation that the petitioner has sexually exploited the victim lady on allurement of marriage, however, subsequently refused to marry her, the instant case has been lodged against the petitioner.

In her statement recorded under Section 164 Cr.P.C the victim namely, Rani Kumari has stated that when she raised alarm, her neighbours came and caught the petitioner, however, she has not disclosed the name of neighbours. In the above facts, the learned counsel for the petitioner submits that the petitioner, who is in judicial custody since 18.02.2017 deserves bail in this case.

3. Mr. Nehru Mahto, the learned A.P.P. has opposed the prayer for grant of bail and submits that wife and mother-in-law of the petitioner have made statements against the petitioner.

4. Having regard to the facts and circumstances of the case, the petitioner namely, Lakhai Pandit is directed to be released on bail on furnishing bail bond

of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Dumka in connection with Jarmundi P.S. Case No. 10 of 2017, corresponding to G.R. No. 121 of 2017, with the following conditions:

- (i) one of the bailors shall be a Class-I legal heirs of the petitioner,
- (ii) he shall remain physically present regularly during the trial,
- (iii) he shall not change his residence without permission of the Court, and
- (iv) he shall deposit Rs.15000/- in the trial Court which shall be paid to the victim lady.

5. The instant application is allowed. Let a copy of the order be transmitted to the trial Court through "Fax".