

(2017) 07 JH CK 0050
In the Jharkhand High Court
Case No : 5404 of 2017

M/s. Narsaria Construction Private Limited

APPELLANT

Vs

State of Jharkhand and Ors.

RESPONDENT

Date of Decision : 27-07-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 164](#) - Recording of confessions and statements
[Indian Penal Code, 1860](#), [Section 376](#) - Punishment for rape

Citation : (2017) 07 JH CK 0050

Hon'ble Judges : Shree Chandrashekhar

Bench : SINGLE BENCH

Advocate : Raja Ravi Shekhar Singh, ?Shiv Kumar Sharma

Final Decision : Allowed

Judgement

1. Heard the learned counsels appearing for the parties and perused the documents on record.
2. Case-diary has been received by the learned APP and the medical examination report of the victim has been produced.
3. The petitioner has been made an accused in Seraikella (Mahila) P.S. Case No.03 of 2017, registered for offences punishable under section 376 of the I.P.C . The petitioner is not known to the informant-victim, is the stand of the informant however, no Test Identification Parade was conducted. In her statement recorded under section 164 Cr.P.C ., the informant has alleged rape, however, the medical examination report of the victim does not disclose any external injury on her body or internal injury over private parts and no foreign body was found. Observation of the doctor is that her clothes were also normal. The petitioner is in judicial custody since 03.03.2017.
4. The learned APP has opposed the prayer for grant of bail.

5. Having regard to the facts and circumstances of the case, the petitioner, above-named, 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 Chief Judicial Magistrate, Seraikella in connection with Seraikella (Mahila) P.S. Case No.03 of 2017, corresponding to G.R. No.234 of 2017.

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