
(2018) 01 JH CK 0056
In the Jharkhand High Court
Case No : 2533 of 2017

Purushottam Mandal

APPELLANT

Vs

The State of Jharkhand & Ors

RESPONDENT

Date of Decision : 05-01-2018

Acts Referred:

[Protection Of Children From Sexual Offences Act, 2012](#), [Section 4](#), [Section 354\(B\)](#)

Citation : (2018) 01 JH CK 0056

Hon'ble Judges : Anant Bijay Singh

Bench : Single Bench

Advocate : Pran Pranay, S.K. Deo

Judgement

1. The petitioner is apprehending his arrest in connection with Mohanpur P.S. Case No. 295 of 2016, POCSO Case NO. 46 of 2016 for the offence under sections 354B and under section 4 of POCSO Act.

2. It appears that under order dated 23.08.2017 the petitioner was admitted anticipatory bail and the petitioner was directed to pay Rs. 25,000/to the O.P. No. 2 on the date of his surrender further the trial court in association with Principal District Judgecumchairman, D.L.S.A, Deoghar was directed to frame a scheme for rehabilitation for O.P. No. 2 under Jharkhand Victim Compensation Act, 2012 and also the POCSO Act and also explore the possibility to extend the 9 beneficiaries schemes, which have been run by the Govt. of India and the Govt. of Jharkhand and sponsored by the NALSA and executed by JHALSA and DALSA and also provide some fund from Prime Minister's Fund or from Chief Minister's Fund for treatment of her eyes and also make arrangement for her admission in Kasturba Girls Residential School and they will also provide one lawyer

from the panel of legal aid to conduct the case of the O.P. NO. 2 and submit report to this Court.

3. Office note dated 02.01.2018 reveals that required report has been received.

4. The report dated 13.12.2017 submitted by Sri Ajit Kumar, learned Addl. Sessions JudgeI, Deoghar and letter dated 12.12.2017 submitted by

Secretary, D.L.S.A, Deoghar reveals that in compliance of the direction of the Hon''ble Court, the victim appeared before the authority on

11.12.2017 along with her mother and the statement of victim Punam Kumari and her mother Malti Devi have been recorded on the same day and

letter to the D.C. Deoghar was sent enclosing the order of Hon''ble Court for compliance of the order and copy of the letter have also sent to the

D.D.C, Deoghar for information and needful.

5. It appears that learned Additional Sessions JudgeI, Deoghar has not understood the direction contained in order dated 23.08.2017 and

submitted report in mechanical manner.

6. The report dated 13.12.2017 submitted by Sri Ajit Kumar, learned Addl. Sessions JudgeI, Deoghar is hereby rejected.

7. Under these circumstances, learned Additional Sessions JudgeI, Deoghar is directed to submit fresh report as to whether the order dated

23.08.2017 has been complied with and what action has been taken for complying the order dated 23.08.2017, further, the petitioner has

surrendered before the court below or not and whether the petitioner has deposited Rs. 25,000/and the said amount has been extended to O.P.

NO.2 or not.

8. The required report must be submitted to this

9. Court within eight weeks.

10. List this case after eight weeks.

11. Let a copy of this order be communicated to the court of Addl. Sessions JudgeI, Deoghar, Secretary, D.L.S.A, Deoghar and to the court of

Principal District & Sessions Judgecumchairman, D.L.S.A. Deoghar.