

(2020) 12 JH CK 0026
In the Jharkhand High Court
Case No : Bail Application No. 9154 Of 2020

Roushan Bhagat @ Roushan Kumar Bhagat	APPELLANT
Vs	
State Of Jharkhand	RESPONDENT

Date of Decision : 03-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 366A
Code Of Criminal Procedure, 1973 — Section 164

Citation : (2020) 12 JH CK 0026

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : P.K. Choudhary, Snehlika Bhagat

Final Decision : Allowed

Judgement

Heard the parties through video conferencing. Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

The petitioner has moved this Court for grant of bail in connection with Godda (T) P.S. Case No.15 of 2018 registered under sections 366A/120B of the Indian Penal Code.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has enticed away the alleged minor victim girl to marry him. It is further submitted that the allegations against the petitioner are all false and drawing attention of this Court to Annexure-2 at page nos.16-17 of the brief, which is a copy of the certified copy of the statement recorded under Section 164 Cr.P.C. of the alleged victim girl, it is

submitted that the learned Magistrate have recorded her statement and has assessed her age to be 19 years and she herself has stated her age to be 19 years and has also stated that she voluntarily went with the petitioner and solemnized marriage with him. It is then submitted that the parties have settled the matter outside the Court and in this respect, learned counsel for the petitioner draws the attention of this Court to page nos.18-19 of the brief, which is a copy of the certified copy of the petition filed by the parties in the court of Sessions Judge, Godda. It is next submitted that the petitioner has been in custody since 19.07.2020 as has been mentioned in paragraph no. 12 of the bail application. It is lastly submitted that the petitioner undertakes to cooperate with the trial of the case. Hence, it is submitted that the petitioner be admitted to bail.

The learned Addl. P.P. opposes the prayer for bail. Considering the submissions of the counsels and the fact as discussed above, I am inclined to enlarge the above named petitioner on bail. Accordingly, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Godda, in connection with Godda (T) P.S.

Case No.15 of 2018 with the condition that the petitioner will cooperate with the trial of the case.