

(2024) 03 JH CK 0032

In the Jharkhand High Court

Case No : Bail Application No. 9613 Of 2023

Sanjay Kisku @ Sanjay Manjhi

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 11-03-2024

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 376(2)(n), 493, 505

Citation : (2024) 03 JH CK 0032

Hon'ble Judges : Ambuj Nath, J

Bench : Single Bench

Advocate : Chandrajit Mukherjee, Saket Kumar

Judgement

Ambuj Nath, J

1. Heard the parties.
2. Petitioner has been made accused in connection with Bokaro Thermal P.S. Case No. 01 of 2023 corresponding to G.R. No. 35 of 2023 for the offences registered under sections 493/323/504/34 and section 376 (2)(n) of the Indian Penal Code, pending in the court of Miss R.S. Topno, learned Judicial Magistrate, 1st Class, Bermo at Tenughat.
3. Petitioner is said to have established physical relationship with the prosecutrix on the pretext of marriage and subsequently, he refused to marry her.
4. Learned counsel appearing for the petitioner submitted that the prosecutrix is a major lady and she has established physical relationship with the petitioner knowing fully well about the consequence of her act.
5. Mr. Saket Kumar, learned A.P.P has opposed the prayer for bail.
6. Considering the fact that there is nothing on the record to show that from the very inception of their relationship, petitioner has obtained consent for physical relationship by fraud, petitioner, above named, is directed to be released on bail

on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each, to the satisfaction of Miss R.S. Topno, learned Judicial Magistrate, 1st Class, Bermo at Tenughat in connection with Bokaro Thermal P.S. Case No. 01 of 2023 corresponding to G.R. No. 35 of 2023.