
(2020) 12 JH CK 0057

In the Jharkhand High Court

Case No : Bail Application No. 9394 Of 2020

Sanjeev Paswan @ Sanjeev Kumar Paswan

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

Date of Decision : 10-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 323, 313, 341, 376, 504, 506

Citation : (2020) 12 JH CK 0057

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Shekhar Sinha, Shailendra Jit

Judgement

Heard the parties through video conferencing.

Learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

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

The petitioner has been made accused in connection with Korrah P.S. Case No. 107 of 2020 registered under sections 376, 313, 341, 323, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner committed rape upon the victim and after solemnizing marriage with the victim in a temple , caused miscarriage of the fetus without her consent. It is submitted that the allegation against the petitioner is false. Drawing attention of this Court towards Annexure-3 at page nos. 20-22 which is the copy of the certified copy of joint compromise

petition, filed by the parties in the court of learned A.C.J.M., Hazaribagh, it is submitted that the matter has been settled between the parties outside of the court and good relationship has been restored between the parties and because of some misunderstanding, this case was instituted against the petitioner. It is next submitted that the petitioner undertakes to co-operate with the trial of the case. It is further submitted that the petitioner has been in custody since 28.07.2020 as mentioned in paragraph 17 of the bail application. Hence it is submitted that the petitioner be released on bail.

Learned Addl. P.P. opposes the prayer for bail.

Considering the facts of this case, the above named petitioner is directed to be enlarged 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 A.C.J.M., Hazaribagh in connection with Korrah P.S. Case No. 107 of 2020 with the condition that he will cooperate with the trial of the case.