
(2020) 12 JH CK 0046
In the Jharkhand High Court
Case No : Criminal Revision No.610 Of 2020

Seraj Ansari

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 10-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 341, 354(A), 376, 511
Protection Of Children from Sexual Offences Act, 2012 — Section 4
Code Of Criminal Procedure, 1973 — Section 164

Citation : (2020) 12 JH CK 0046

Hon'ble Judges : Amitav K. Gupta, J

Bench : Single Bench

Advocate : Lukesh Kumar, Satish Prasad

Final Decision : Allowed

Judgement

1. This revision is directed against the judgment/ order dated 01.07.2020, passed by learned Additional Sessions Judge -I, Hazaribag in Criminal

Appeal (Juvenile) No.29 of 2020, whereby the prayer for bail of the petitioner/ juvenile (in conflict with law) has been rejected in connection with

Bishnugarh P.S. Case No.42 of 2020, registered under Sections 341, 354(A), 376, 511 of the Indian Penal Code and Section 4 of the Protection of

Children from Sexual Offences Act.

2. Heard learned counsel for the petitioner and learned A.P.P.

On perusal of the case diary, it appears that the victim was examined by the Doctor and as per the radiological report, her age has been assessed

between 18 to 19 years, whereas her date of birth has been recorded as 15.04.2020. The occurrence had taken place on 19.02.2020 and the F.I.R

was lodged on 21.02.2020. In the F.I.R she has stated that the petitioner had

tried to commit rape on and when she raised hulla then the petitioner fled into the jungle. In the statement under Section 164 Cr.P.C, she has stated that the petitioner had committed rape on her. The Doctor did not find any mark of violence or injury on the body or private part of the victim.

Having regard to the materials on record, the petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with

two sureties of like amount each to the satisfaction of learned Principal Magistrate, Juvenile Justice Board, Hazaribag, in connection with Bishnugarh

P.S. Case No.42 of 2020, on the condition that one of the bailors shall be a close relative/ natural guardian, who shall give an undertaking (i) to ensure

the good behaviour of the petitioner, (ii) to ensure that the juvenile petitioner does not come in contact with any anti-social elements, and (iii) produce

the juvenile/petitioner before the Probation Officer as and when directed by the Board. The Probation Officer shall submit the supervision report to

the Board for needful.

3. In case of any adverse report, the Board is at liberty to pass necessary order in accordance with the provisions of the Juvenile Justice (Care and

Protection of Children) Act, 2015. The petitioner/juvenile shall co-operate and be present before the Board as and when directed, till conclusion of the enquiry.

4. With the aforesaid direction, the revision is, hereby, allowed.