

**(2020) 11 JH CK 0005**  
**In the Jharkhand High Court**  
**Case No : Bail Application No. 6031 Of 2020**

|                                    |            |
|------------------------------------|------------|
| Sukhvendra Singh @ Sulvendra Singh | APPELLANT  |
| Vs                                 |            |
| State Of Jharkhand                 | RESPONDENT |

**Date of Decision :** 02-11-2020

**Acts Referred:**

Indian Penal Code, 1860 — Section 34, 365, 370, 376  
Code Of Criminal Procedure, 1973 — Section 164

**Citation :** (2020) 11 JH CK 0005

**Hon'ble Judges :** Kailash Prasad Deo, J

**Bench :** Single Bench

**Advocate :** Lalit Yadav, Ruby Pandey

**Final Decision :** Allowed

## Judgement

Heard, learned counsel for the petitioner, Mr. Lalit Yadav. Learned counsel for the petitioner has assured this Court that he will comply the previous order dated 14.09.2020 with regard to removal of the defects.

Learned counsel for the petitioner has submitted that petitioner has prayed for grant of regular bail in connection with Madhupur P.S. Case No. 37/2020 for the offence registered under Sections 370, 365, 34 I.P.C. and subsequently Section 376 I.P.C. has been added vide order dated 16.03.2020.

Learned counsel for the petitioner has submitted that counter affidavit has already been filed and brought on record. The statement of the victim has been recorded in paragraph-23 of the case diary where she has categorically stated that on false assurance co-villager Yashoda Devi brought the victim to Deoghar and sold her to petitioner, Sukhvendra Singh @ Sulvendra Singh on Rs.50,000/-. The victim was taken by Sukhvendra Singh @ Sulvendra Singh and disclosed by him that he has paid the amount to Yashoda Devi and subsequently solemnized marriage with her and they have been blessed with child and now she is living happily with the petitioner, Sukhvendra Singh @ Sulvendra Singh and wants to

continue her matrimonial life.

Learned counsel for the petitioner has further submitted that the case of Yashoda Devi and this petitioner is on different footing, the police has submitted charge-sheet against the petitioner under Sections 370, 365 and 34 I.P.C. and nothing has been alleged against this petitioner so as to constitute an offence under Section 376 I.P.C.

Learned counsel for the petitioner has further submitted that petitioner is in custody since 17.03.2020, as such, petitioner may be enlarged on bail.

Learned counsel for the State, Mrs, Ruby Pandey, Additional Public Prosecutor has opposed the prayer for bail and has submitted that victim was a deserted lady, who was residing with her parents, the accused Yashoda Devi took her and sold her to this petitioner, who purchased her, as such, an offence is made out, as such, petitioner may not be enlarged on bail.

Considering the rival submissions of the parties and looking into the statement of the victim recorded under Section 164 Cr.P.C. as nothing has been alleged against this petitioner, rather the victim has categorically stated that she has solemnized marriage with this petitioner and they have been blessed with child and wants to continue the matrimonial life, this Court is inclined to grant bail to the petitioner. Petitioner is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each in connection with Madhupur P.S. Case No. 37/2020 to the satisfaction of learned S.D.J.M., Madhupur on the following conditions:

(i) One of the bailors shall be the deponent / pairvikar of the present case namely, Bablu Das, son of Gujar Das, resident of House No.29, Ward No.03 Near Hanuman Mandir, Block Madhupur, P.O.- Madhupur & P.S. - Madhupur, District - Deoghar, Jharkhand who has furnished photocopy of his UID Card bearing number 8306 6493 0019 before this Court in the bail application.

Office is directed to send the photocopy of UID Card bearing no. 8306 6493 0019 of deponent alongwith this order to the court below so as to verify the authenticity of the bailor.

(ii) Another bailor shall be father / mother / sister / brother of the petitioner.

(iii) Petitioner shall appear before the learned trial court each on every date fixed for his appearance, failing which the learned trial court shall cancel the bail bond of the petitioner.

(iv) The Jail Authority shall release the petitioner only after his medical check-up.

(v) The Civil Surgeon, Deoghar is directed to medically examine the petitioner at the time of his release and if he is infected with corona virus, he shall be taken for quarantine, but if no such requirement is there, he shall be released forthwith, if not wanted in any other case.

(vi) The petitioner shall follow all the guidelines issued by the Government to meet the challenges of Covid-19, as presently Country is passing through pandemic of Covid-19.

Accordingly, the instant bail application is allowed.