

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

(Criminal Miscellaneous Jurisdiction)

**BA No.7331 of 2022**

Dhiraj Sardar ... .. Petitioner  
Versus  
The State of Jharkhand ... .. Opposite Party

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**CORAM : HON'BLE MR. JUSTICE RATNAKER BHENGRA**

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For the Petitioner : Mr. Shadab Bin Haque Advocate  
For the State : Mr. Arup Kumar Dey,APP  
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**Order No.03/Dated: 13<sup>th</sup> July, 2022**

When the matter is called out, Mr. Mr. Shadab Bin Haque, the learned counsel appears for the petitioner and Mr. Arup Kumar Dey, the learned APP appears for the State.

Petitioners are in custody in connection with Kotwali PS Case No.08 of 2020, corresponding to GR Case No.1574 of 2021.

Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. There are general and omnibus allegation against the petitioner. Moreover, the relationship as alleged was consensual in nature and, therefore, no case of rape is made out against the petitioner. He has further submitted that petitioner has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 17.8.2021 passed in ABA No. 2905 of 2021 with condition that petitioner will deposit a demand draft of Rs. 1,00,000/- but being a poor person he could not pay the same and surrendered before the Court below on 23.5.2022. Petitioner is in custody since 23.05.2022. Therefore, he may be released on bail.

Learned counsel for the State opposed the prayer for bail and submits that petitioner has not paid victim compensation of Rs.1,00,000/-. Therefore, he does not deserve bail.

Having heard both counsels, gone through the records of the case and in the facts and circumstances of the case, I am not inclined to release the petitioner on bail. Hence, his prayer for bail stands rejected.

**(Ratnaker Bhengra, J.)**