

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 7375 of 2022

Sikandar Kumar @ Sikandar Mahli @ Sikander Mahali.... Petitioner

Versus

The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner

: Mr. K.S. Nanda, Advocate

For the State

: Mrs. Niki Sinha, A.P.P.

3/15.07.2022 Heard learned counsel for the applicant and learned APP for the State.

The bail application has been filed on behalf of the abovenamed applicant with a prayer to release on bail in connection with Tatisilway P.S. Case No.42/2022 under sections 376, 417, 506 of IPC, pending in the court of learned Judicial Magistrate Ranchi.

Learned counsel for the applicant has submitted that FIR of this case was lodged by the victim herself against named accused Sikandar Kumar @ Sikandar Mahli @ Sikander Mahali with these allegations that the applicant Sikandar Kumar @ Sikandar Mahli @ Sikander Mahali had love affairs with victim since 2020 and he had allured her to marry with her and continued to establish physical relation with her. Ultimately, he refused to marry with the informant. He has been sexually exploiting her on the pretext of marriage.

The learned counsel for the applicant has also submitted that as per the FIR allegations the victim was major 29 years old. Admittedly, both have love affairs and physical relation established between them consensually. There is no allegation in the FIR that after refusal of marriage the applicant had forcibly raped her. The applicant has been languishing in jail since 23.04.2022.

Learned APP appearing on behalf of the State vehemently opposed the contentions made by the learned counsel for the applicant.

In view of the submissions made and the materials on record, the bail application of the applicant is allowed. Let the applicant be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of like amount to the satisfaction of the court concerned in the aforesaid case.

(SUBHASH CHAND, J.)