

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 6662 of 2013

Sadhan Kumar Rawani @ Sadhan Rawani Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE D.N. UPADHYAY

For the Petitioner : Mr. Binodanand Tiwary , Advocate
For the State : A.P.P.

02 / 31.08.2013 Heard learned counsel for the parties.

The petitioner is accused in connection with Rajganj RS. Case No.44 of 2013 corresponding to G.R. Case No.2211 of 2013, pending in the Court of Sri Santosh Kumar No.II, learned Judicial Magistrate, Dhanbad.

It reveals from the F.I.R. that on 03.12.2012 in the evening when the informant had gone to answer the call of nature, the accused, who was hiding in the bamboo bush, came out, pounced on the informant and committed rape on her. The informant disclosed the incident to her mother after which they went to the house of petitioner and on being assured by the parents of the petitioner that marriage between the victim and petitioner would be solemnized in due course, the informant and her mother did not lodge the information with the police. Lastly, when the petitioner and his family members threatened and refused to marry, this case has been lodged.

It is submitted that there is delay of about six months in lodging the F.I.R. and the explanation extended is not tenable. As a matter of fact on the date of incident the petitioner was present on duty. This case has been lodged due to old standing enmity.

Learned counsel appearing for the State opposed the prayer for bail.

There is direct allegation that the petitioner had committed rape on the informant. In the circumstances, I do not feel inclined to release the petitioner on bail. Accordingly, the prayer for bail made on behalf of above named petitioner stands rejected.

(D. N. Upadhyay, J.)