

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 7267 of 2015

Teklal Mahto Petitioner

Versus

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Niranjan Singh, Advocate

For the State : Mr. S. K. Shrivastava, APP

Order No. 02

Dated 30th September, 2015

Heard Mr. Niranjan Singh, learned counsel appearing for the petitioner and Mr. S. K. Shrivastava, learned APP for the State.

Petitioner is an accused in connection with S.T. No. 170 of 2015 arising out of Topchanchi P.S. Case No. 142 of 2014 (G.R. No. 5445 of 2014), registered for the offences punishable u/s 366(A)/504/506/34 of the Indian Penal Code.

It has been submitted by the learned counsel for the petitioner that the allegation against the petitioner is of enticing away the daughter of the informant. It has further been submitted that the victim on being recovered had given statement u/s 164 Cr.P.C. in which she has not alleged about any sexual assault made by the petitioner and moreover she had not raised any hue and cry. It has also been submitted that the age of the victim is assessed as 18 years and that the petitioner is in custody since 3.1.2015.

Learned counsel for the State has opposed the prayer for bail of the petitioner and submitted that the victim has clearly stated in her statement u/s 164 Cr.P.C. that it was the petitioner who had taken her away to Delhi.

Regard being had to the fact that there is no specific allegation of sexual assault against the petitioner and also considering the fact that no alarm was raised by the victim who is admittedly a major, the petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Dhanbad in connection with S.T. No. 170 of 2015 arising out of Topchanchi P.S. Case No. 142 of 2014 (G.R. No. 5445 of 2014).

(RONGON MUKHOPADHYAY, J.)