

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 5519 of 2019**

Karamchand Oraon Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Nilesh Kumar, Advocate
Mr. Avishek Prasad, Advocate
For the State : Mr. Birendra Burman, A.P.P.

04/29.08.2019 Heard the learned counsel for the parties.

The petitioner is an accused for the offences punishable under Sections 376/366A of the Indian Penal Code and Sections 3/4 of the POCSO Act.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The petitioner and the complainant/informant established physical relationship with their own consent and desire in the year 2014. They also solemnized marriage at Dewaki Babu Dham, Ghaghra, Gumla and thereafter, went to Himachal Pradesh for earning their livelihood where she delivered a male child named Rocky, whose birth certificate clearly shows that the petitioner and the complainant/informant are his parents. Though the complainant/informant is legally wedded wife of the petitioner, yet she has made false and concocted allegation. On the date of lodging of the complaint, the informant was major. As such, the petitioner who is in judicial custody since 06.02.2019 may be given the privilege of regular bail.

The learned A.P.P. opposes the petitioner's prayer for bail.

Having heard the learned counsel for the parties, I am inclined to enlarge the petitioner on bail. Accordingly, the petitioner above named 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 to the satisfaction of the learned Additional Sessions Judge-I, Lohardaga in connection with S.T. No. 31 of 2019, subject to the condition that the petitioner shall co-operate in the trial and shall be physically present before the trial court as and when his presence is required, failing which the trial court shall be at liberty to pass appropriate order in accordance with law.

(Rajesh Shankar, J.)

Manish