

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A.No. 14467 of 2021**

Avinash Kumar @ Avinash Yadav Petitioner
Versus
The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND

For the petitioner : Mr. Sanjay Kr. Pandey No.2, Advocate
For the State : Mr. Subodh Kr. Dubey, A.P.P.

02/ 23.12.2021 This bail application is on behalf of applicant Avinash Kumar @ Avinash Yadav with a prayer to release him on bail in case crime being Barkagaon P.S. Case No. 120 of 2020, corresponding to Spl. POCSO Case No. 82 of 2021 (District-Hazaribag), registered for the offence under Section 376(2)/498(A)/34 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act.

Learned counsel for the applicant has submitted that the First Information Report of this Case was lodged by the victim herself against the applicant Avinash Kumar @ Avinash Yadav, his father and mother with the allegations that the informant was in love with the applicant since 2018 and both loved each other and physical relations were also established between them. It is further submitted that the applicant had assured to get married with the informant but he under the influence of his parents for demand of Rs.10,00,000/- refused to get married with the informant. It is also submitted that the informant was major and was consenting party and admittedly, she was having love affairs with the applicant and, thus, the allegations made against the applicant are false and concocted and the applicant has been languishing in jail since 05.08.2021.

Learned A.P.P. appearing on behalf of the State has vehemently opposed the contention made by the learned counsel for the applicant and conceded that the First Information Report of this case was lodged by the victim herself, who has supported the prosecution version in her statement under Section 164 Cr.P.C.

In view of the submissions made and considering the materials available on record this bail application is allowed. Let the

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applicant, namely, Avinash Kumar @ Avinash Yadav, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-I –cum- POCSO Act, Hazaribag, in connection with Barkagaon P.S. Case No. 120 of 2020, corresponding to Spl. POCSO Case No. 82 of 2021.

(Subhash Chand, J.)

A.K.Verma/Rajnish/