

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1863 of 2023

Ashish Rana @ Ashish Kumar Rana

..... Petitioner

Versus

1. The State of Jharkhand

2. Mahima Kumari

..... Opposite Parties

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner

: Mr. Shailesh Kr. Singh, Advocate

For the State

: Mr. A.P.Topno, A.P.P.

For the O.P. No.2

: Mr. Awanikant Prasad, Advocate

04/Dated: 30/11/2023

1. Heard learned counsel for the parties.
2. Apprehending his arrest, the applicant has approached this Court for grant of privilege of anticipatory bail, in connection with Barhi (Mahila) P.S. Case No.18 of 2022, registered for the offence under Sections 376/ 506/34 of IPC and Sections 3/ 4 of the D.P. Act, pending in the court of learned J.M.1st Class, Hazaribagh.
3. Innocence of the applicant has been claimed and undertaking has been given for co-operating with the investigating agency and participation in the trial. It has been submitted that both the parties are major and relationship was consensual. Only due to some money dispute, this false case has been lodged with an oblique purpose. On the above basis, prayer for anticipatory bail has been made.
4. On the other hand, learned A.P.P and learned counsel for the informant have opposed the prayer for anticipatory bail and submitted that there is direct and specific allegation against this applicant and that has been supported by the victim's statement made under Section 164 of the Cr.P.C. The consent has been obtained by playing fraud i.e. false pretext of marriage.
5. Considering the nature of allegation and the statement of the victim recorded under Section 164 of the Cr.P.C., I am not inclined to grant the privilege of anticipatory bail to the applicant. Accordingly, the anticipatory bail application of the applicant is, hereby, rejected.

(Rajesh Kumar, J.)

Shahid