

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (D.B.) No. 490 of 2022

Dilip Kumar Hansda Appellant

Versus

The State of Jharkhand Respondent

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
: HON'BLE MR. JUSTICE AMBUJ NATH

For the Appellant : None

For the Respondent : Mrs. Kumari Rashmi, A.P.P.

3/10.01.2023 I. A. No. 5604 of 2022:

None appears for the appellant. However, Mrs. Kumari Rashmi, learned A.P.P. appearing for the State is present.

This interlocutory application has been preferred by the appellant for grant of bail to him during the pendency of this appeal.

The appellant has been convicted for the offence under Section 376 of Indian Penal Code and has been sentenced to undergo rigorous imprisonment for ten years along with a fine of Rs. 10,000/-.

It has been alleged that the informant was cooking food in the Veranda of her home and the son of the informant was in another room, when the appellant had come from behind, forcibly took her to a room and ravished her.

The victim has been examined as P.W. 1 and apart from stating about the incident, she has stated that her husband was not at home and till her husband came back, the matter was not disclosed to anyone. She has further disclosed that she did not want to lodge this case, had the matter been settled in the village. The son of the victim has been examined as P.W. 3 and he has stated about the appellant regularly visiting his house. The evidence of P.W. 1 as well as P.W. 3 reveals that the victim and the appellant knew each other from before and it also appears that the incident had occurred when the husband of the victim was not present.

Considering the evidence of P.W. 1 which hints about an intimate

relationship between the victim and the appellant, we are inclined to admit the appellant on bail.

Accordingly, during the pendency of this appeal, the appellant above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned Additional Sessions Judge II cum FTC offences against women, Dumka in connection with S. T. No. 226 of 2019 arising out of Masalia P. S. Case No. 31 of 2019 corresponding to G. R. No. 593 of 2019.

I. A. No. 5604 of 2022 stands allowed and disposed of.

(Rongon Mukhopadhyay, J)

(Ambuj Nath, J.)

R. Shekhar Cp 3