

**THE COURT OF ADDITIONAL SESSIONS JUDGE-V,
PALAMAU AT DALTONGANJ**

A.B.P. No. 1288 of 2022

(CNR: JHPL-01-006436-2022)

**(Laldeo Rajwar @ Laldeo Ram & another v/s State of
Jharkhand)**

O R D E R

08.02.2023

The instant anticipatory bail petition has been filed u/s 438 of the Cr.P.C. on behalf of accused/petitioners namely **Laldeo Rajwar @ Ladeo Ram and Shanti Devi**, who are apprehending their arrest in connection with Hussainabad P.S. Case No. 225 of 2022 registered u/s. 341, 323, 354, 354B, 379, 504, 506/34 of the IPC pending in the court of S.D.J.M, Palamau at Daltonganj.

Heard learned Counsel appearing for the petitioners as well as learned Addl. P.P representing the State and perused the case record as well as case dairy written up to para-69.

The present case has been lodged on the basis of the written report of informant namely Lali Devi. It is alleged by the informant that on 17.08.2022 at about 3.00 PM, she was standing outside her house where some goats were grazing in the field. She drove out the goats from her field and thereafter said goats entered in the field of Laldeo Rajwar @ Laldeo Ram (petitioner). Upon this, Laldeo Rajwar @ Laldeo Ram and his wife Shanti Devi started abusing the informant. It is further alleged that when the

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informant protested, she was assaulted brutally by the petitioners. It is further alleged that Laldeo Rajwar tried to outrage modesty of the informant and opened her Sari. On hulla, the sister of informant namely Munni Kuamari reached there to save the informant but she was also assaulted by the petitioners. It is further alleged that during the occurrence, the petitioners also snatched away gold chain and ring from the prosecutrix.

AP Ld. Counsel appearing for the petitioners has submitted that the petitioners are innocent and they have committed no offence and have been falsely implicated in this case. He has further submitted that allegation of offence u/s 354 & 379 have been purposely added in this case to make the case non-bailable. He has further submitted that the petitioners and informant are co-villagers and due to some dispute between them, this false case has been lodged. He has further submitted that the independent witnesses have not supported the allegation of snatching ornaments from the informant. There is no criminal antecedent of the petitioners. Therefore, they may kindly be granted anticipatory bail.

Ld. Addl. P.P. has opposed the anticipatory bail petition and prayer made therein.

Perused the FIR and the case diary. I find that there is specific allegation against petitioner Laldeo Rajwar @ Laldeo Ram of assaulting and outraging modesty of the

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informant and her sister. Considering upon the fact and circumstances of the case as well as nature of the allegations made in the FIR, **I am not inclined to grant anticipatory bail to petitioner namely Laldeo Rajwar @ Laldeo Ram. Therefore, his prayer for anticipatory bail is rejected.** He is directed to surrender before the learned trial court and pray for regular bail.

The another petitioner namely Shanti Devi is a woman and I find that there is general allegation against her to abuse and assault the informant. Considering upon the nature of the allegations made in the FIR, **I am inclined to grant anticipatory bail to petitioner Shanti Devi.** She is directed to surrender before the court below within two weeks from passing of this order and in the event of her arrest or surrender within the period fixed, she will be released on bail on furnishing bail bond of Rs. 10,000/-each (Rs. ten thousand) with two sureties of like amount each subject to the condition as laid down u/s 438(2) of the Cr.P.C. Accordingly, the anticipatory bail petition is disposed of.

(Dictated)
Abhimanyu Kumar
(Abhimanyu Kumar)
Addl. Sessions Judge-V
Palamau at Daltonganj
(JO Code JH00525)