

THE COURT OF ADDITIONAL SESSIONS JUDGE-IV, AT CHAIBASA
S. T. Case No. 293 of 2022
Misc. Criminal Application No.1108 of 2022
CNR No.JHCB01-003922-2022

Serial No.	Date of order of proceeding	Order with the signature of the Court.	Office notice taken with date
1	2	3	4
	<u>15.12.2022</u>	A petition for bail has been filed on behalf of accused person / petitioner Dipak Singh Angaria, who is in custody in connection with Manoharpur (Chiria) P. S. Case No. 21 of 2022, arising out of G.R. Case No.182/2022, registered u/s 376 (2) (n) of the IPC, against accused has been pressed today in presence of the Learned Addl. P. P for the state. Heard both sides on the bail petition and perused the material on record. The Learned Counsel appearing on behalf of petitioner submitted that the petitioner has been arrested and remanded to judicial custody on 04.05.2022 in connection with the instant case for the offence alleged u/s 376(2)(n) I.P.C and since then he is in custody. It is further stated that no any bail petition either regular or anticipatory was filed earlier on behalf of the petitioner either before this learned court or before any higher court. It is further stated that petitioner is absolutely innocent who has not committed any offence whatsoever and has been falsely implicated in the case. It is further stated that prosecution story whatsoever stated is all false, baseless and	

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	<u>Contd. /-1</u> <u>15.12.2022</u>	concocted, so, no reliance should be placed upon the same. It is further stated that entire prosecution story seems to be a fully cooked up story made with ill motive for illegal gain. It is further stated that it is very much known fact that by using force physical relation can be developed for only one time but when the same was going on for last five years, as alleged, it cannot be said or defined as rape but at best it can be said as consensual act of the parties who voluntarily submitted themselves to each other. It is further stated that lodging this kind of a case is nothing but abuse of process of law. For his no fault petitioner has been falsely implicated in the case. It is further stated that petitioner is ready to furnish sufficient sureties to the satisfaction to the Id. Court. Hence he may be released on bail. On the other hand, Ld. Addl. P. P has vehemently opposed the prayer for bail of petitioner. Prosecution case in brief is that it appears that in the year 2015 month of September she was doing Graduation from the Tata Graduate College,Tata. That time accused Dipak Singh Angagria (petitioner) of Tola- Ankua Camp, P.S. Chiria O.P,	

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	<u>Contd./-2</u> <u>15.12.2022</u>	District West Singhbhum came contact with her, during Maghe Parab in the year 2017 of March month, he brought her Loro Ankua where his brother Kuda Angaria and Bhabi Amisha Angaria live there, while he being kept proposal for marriage with her before them. He brought in a house situated near the house of Kuda, whose house owner name is Kundria Angaria. Where he forcibly established sexual intercourse with her despite being her protest. Thereafter both due had been living as wife and husband. Now accused /petitioner refused to marry with her. Hence this case is. On the basis of written report of informant Manoharpur P. S. Case No.21/22 was registered u/s 376(2)(n) of the IPC. Charge sheet submitted against accused. Accordingly Cognizance was taken u/s 376(2)(n) of the IPC on 15.06.2022. Charged framed on 13.12.2022. Most important fact it is pertinent to be mentioned here that petitioner is named in the FIR and specific allegation against petitioner is shown in the case story. I find that informant has supported her case while giving her re-statement at	

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	<u>Contd./-3</u> <u>15.12.2022</u>	paragraph 4 of the case diary. I further find that I.O has recorded the statements of other witnesses at paragraph 14,15,18 and 19 of the case diary who supported the case of persecution. The allegations as levelled against accused person in this case is very serious in nature. Considering all the facts and circumstances of the case as well as the above noted facts, and the seriousness of allegations,I am not inclined to enlarge the accused person / petitioner on bail. Accordingly, the petition for bail filed on behalf of the accused person namely Dipak Singh Angaria stands rejected. (Dictated) Sd/- Kalpana Hazarika Addl. Sessions Judge-IV. Chaibasa.	