

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Criminal Appeal (DB) No. 401 of 2022

Md. Iqbal Ansari ... Appellant

Versus

State of Jharkhand ... Respondent

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CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

HON'BLE MR. JUSTICE AMBUJ NATH

For the Appellant : Mr. Ajeet Kumar Singh, Advocate

For the State : Mrs. Priya Shrestha, Spl.P.P.

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Order No. 03

Dated 30<sup>th</sup> August, 2022

I.A. No. 7841 of 2022

Heard the learned counsel for the respective parties.

This 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 offences u/s 376D of the Indian Penal Code and Section 6 of the POCSO Act and has been sentenced to undergo rigorous imprisonment for life along with a fine of Rs. 20,000/- for the offence u/s 376D of the Indian Penal Code.

When the informant had gone to answer the call of nature, the appellant and two other accused persons had forcibly taken her to the field and committed rape upon her.

Although the learned counsel for the appellant has stressed much upon the medical report which indicates that the victim was not subjected to rape, but the FSL report indicates that the DNA profile generated from the source of Ext. marked 'E' which is the blood positive gauge cuttings of the present appellant is found to be present in the DNA profile of each of the source of Ext. marked 'A' which is the semen and blood positive panty cuttings and Ext. marked 'B' which is semen and blood positive leggings cuttings and in view of the FSL report therefore, we are not inclined to grant bail to him. Accordingly, the prayer for bail of the appellant is hereby rejected.

I.A. No. 7841 of 2022 stands rejected.

(RONGON MUKHOPADHYAY, J.)