

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2845 of 2025

Roshan Prajapati, S/O Sri Vishwanath Prajapati, aged about 30 years, R/O
Harmu Ita Bhata, Bhaunro, PO – Bhaunro, PS – Bhandra, District –
Lohardaga, Jharkhand. **... Petitioner**

Versus

The State of Jharkhand & Another. **... ... Opposite Parties**

CORAM: SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Rakesh Kr. Sinha, Advocate
For the State : Mr. Naveen Kr. Gaunjhu, APP

04/ 11th July 2025

1. Heard the learned counsel for the parties.
2. This anticipatory bail application under Section 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest for offences registered under Sections 69 / 89 of the Bharatiya Nyaya Sanhita.
3. The allegation against the petitioner is that both the victim and this petitioner were residing as a tenant in the house of one Fransis Toppo where they developed friendship, thereafter the same converted into intimacy and they started living together and entered in sexual relationship. Further it is alleged that when the victim became pregnant, this petitioner brought some medicine and administered the same to the informant as a result of which she suffered miscarriage. It is further alleged that thereafter this petitioner got engaged with some other girl and has broken the relationship with the informant. Informant further stated that father of the petitioner threatened her. It is admitted in the FIR that she had taken loan of Rs. 50,000/- from the petitioner which she claims that she will return.
4. Learned counsel for the petitioner submits that both the parties are major and they were residing together and they were having some relationship. If at all any physical relationship have taken place, the same was with her consent. He further submits that in no point of time there was any assurance of

marriage and the allegation of abortion is absolutely false and fabricated as there is no medical evidence in the case diary save and except the oral statement. He lastly submits that since the informant has admittedly taken loan of Rs. 50,000/- which the informant is not in a mood to return, the informant has filed this false case.

5. Learned counsel for the State opposes the prayer of the petitioner for grant of anticipatory bail.
6. After hearing the parties, I find that both the parties are major and there is an admission that Rs. 50,000/- was taken as a loan and the same has not yet been returned. Further there is no medical evidence in the case diary about abortion of pregnancy and this case has been filed after failed relationship between the parties. Thus, I am inclined to ***allow*** this anticipatory bail application of the petitioner. The petitioner above named, is directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of his surrender or arrest, he shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of ***learned Court of Chief Judicial magistrate, Simdega***, in connection with ***Simdega Mahila P.S. Case No.0012 of 2025***, subject to the condition that one of the bailers should be a close relative of the petitioner and other should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which he is having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property.
7. Accordingly, this anticipatory bail application is ***allowed***.

(ANANDA SEN, J.)