

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (DB) No. 628 of 2025

Ejazul Haque

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Appellant

Versus

The State of Jharkhand

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Respondent

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellant

: Mr. Ram Chandra Prasad Sah, Adv.

For the State

: A.P.P.

I.A No. 10642 of 2025.

04/17.09.2025

Heard Mr. Ram Chandra Prasad Sah, learned counsel for the appellant and learned A.P.P.

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

The appellant has been convicted for the offence under Section 376 IPC and has been sentenced to undergo rigorous imprisonment for ten years along with a fine of Rs. 20,000/-.

It has been alleged that while the victim was sleeping in her house with her child, she had heard some sound outside and when she came out, the appellant had forcibly entered the house and committed rape upon her. While leaving, the appellant had threatened the victim not to disclose about the incident to anyone.

Submission has been advanced by the learned counsel for the appellant that most of the witnesses have been declared hostile by the prosecution. It has been submitted that so far as the victim is concerned, she has been examined as P.W.5 and in her cross-examination, she has categorically stated that she does not know the appellant and, in fact, she has denied the occurrence for which the FIR was instituted.

Learned A.P.P. has opposed the prayer for bail of the appellant.

Regard being had to the evidence of the victim which virtually demolishes the case of the prosecution against the appellant, we are inclined to admit the appellant on bail. Accordingly, during pendency of this appeal, the appellant 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 learned Additional Sessions Judge-I cum Special Judge (Crime Against Women), Seraikella- Kharsawan in connection with S.T. No. 88/2020.

I.A. No. 10642 of 2025 stands disposed of.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Dated- 17th September, 2025.

Preet/-