

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
**A.B.A. No.3638 of 2025**

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Ashok Kumar aged about 42 years son of Manger Singh, resident of Village Akta, P.O. Chanpi, P.S. Lesliganj, District-Palamau (Jharkhand) **... ... Petitioner**

Versus

The State of Jharkhand.

**... ... Opposite Party**

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**CORAM : SRI ANANDA SEN, J.**

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For the Petitioner(s) : Mr. Ramesh Kumar, Advocate

For the State : Mr. Sunil Kumar Dubey, APP

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**02/ 10.07.2025**

Heard the parties.

**2.** This anticipatory bail application under Sections 482 & 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest for offences under Sections 323, 341, 384, 376, 354 of the IPC.

**3.** The case is initially arises out of a complaint which was send under Section 156(3) for registering an F.I.R.

**4.** In the complaint, it has been mentioned that on 16.03.2016 at about 8:00 PM, the informant was returning home and she met the petitioner who asked her to board his Commander Jeep. The informant boarded in the said jeep. The petitioner, thereafter, had taken the jeep at a lonely place and committed rape upon her and on protest she was threatened.

**5.** Learned counsel appearing on behalf of the petitioner further submits that though from bare perusal of the F.I.R one could understand that there is a direct allegation but the fact which needs to be considered is that the victim is in a habit of lodging false cases to extort money. In support of his submission, he produces the Judgment of S.T. Case No.195 of 2015 passed by the Additional Sessions Judge- 3, Palamau at Daltonganj dated 13.01.2016, in which the similar allegation was made against Alla Rakha by the informant i.e. under Section 420, 376, and 506 of IPC. The learned Sessions Judge has acquitted said accused Alla Rakha after a proper trial. He submits that this suggests that the victim intention is not good and she is in habit of extortion. He

further submits that in this case also, the petitioner is trying to extort money from the informant.

**6.** Learned APP submits that the allegation is heinous but he cannot deny the aforesaid facts after going through the judgment in S.T. Case No.195 of 2015 passed by the Additional Sessions Judge- 3, Palamau at Daltonganj.

**7.** After hearing the parties, I find that there is an allegation that the petitioner had taken the informant in his jeep and thereafter, at lonely place he committed rape. This case arises out of complaint which was sent 156(3) of IPC for registering F.I.R.. It is also a fact that allegation of Section 376 IPC was levelled by the informant against one Alla Rakha, alleging that rape has been committed upon her by said Alla Rakha on the pretext that he was assisting her in getting her husband released from custody. The said case ended in acquittal.

**8.** Considering the aforesaid facts and the said judgment passed in S.T. Case No.195/2015, I am inclined to allow this application.

**9.** Accordingly, this Anticipatory Bail Application stands **allowed**. 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 Judicial Magistrate, First Class, Palamau at Daltonganj in connection with Lesliganj P.S. Case No.101 of 2024, subject to the condition that one of the bailers should be a close relative of the petitioner and he should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which they are having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property.

**(ANANDA SEN, J.)**