

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5503 of 2025

Sakaldeo Mahto @ Sakaldeep Kumar aged 28 years son of Bipin
Bihari Mahto resident of Village Hahajor PO and PS Kusumghati
District Godda Petitioner

-- Versus --

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mrs Vani Kumari, Advocate
For the State :- Mr. Ajay Kumar Pathak, Advocate

2/18.09.2025 Heard learned counsels for petitioner and for State.

2. The petitioner is apprehending his arrest in connection with Lalmatia PS Case No.54 of 2025, for offence registered under section 329(4) and 66 of BNS, 2023 and Section 4 and 6 of POCSO Act, pending in court of learned District and Sessions Judge cum Special Judge (POCSO), Godda.

3. Learned counsel for petitioner submits that false allegations are made against the petitioner of rape. She further submits that the allegations are made that on 12.8.2024 the said occurrence has been taken place however the FIR has been lodge after one year. She then submits that there are many litigations between the petitioner and the informant side and in the Panchayati it has been admitted that there is no question of rape and only assault has taken place. On this ground she submits that anticipatory bail may kindly be granted to the petitioner.

4. Learned State counsel opposes prayer and submits that complaint case has been lodged which has been converted into F.I.R.

5. Looking to the contents of complaint, which has been converted into FIR, it transpires that the said allegation is of 12.8.2024 whereas the complaint case was filed on 11.7.2025. In paragraph no.4 of the

complaint, it has been disclosed that sister-in-law saw the petitioner and the victim and in spite of that, at that point of time, the FIR has not been lodged. It has been pointed out that there are many litigations between the parties and in the Panchayati it has been admitted by the victim that no such occurrence has been taken place and only assault has been taken place, I am inclined to grant anticipatory bail to petitioner.

6. Accordingly, petitioner, above named, is hereby directed to surrender before learned court within three weeks from today, and in event of his surrender/arrest, petitioner, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, to satisfaction of learned District and Sessions Judge cum Special Judge (POCSO), Godda, in connection with Lalmatia PS Case No.54 of 2025, subject to the conditions as laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023.

(Sanjay Kumar Dwivedi, J.)

Dated: 18th Sept., 2025
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