

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Criminal Appeal (DB) No. 333 of 2021

Zabar Alam @ yawar Hussain ... Appellant

Versus

State of Jharkhand ... Respondent

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

HON'BLE MR. JUSTICE AMBUJ NATH

For the Appellant : Mrs. Vani Kumari, Advocate

For the State : Mrs. Kumari Rashmi, A.P.P.

Order No. 03

Dated 30th June, 2022

I.A. No. 3766 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 376AB of the Indian Penal Code and Section 4/6 of the POCSO Act has been sentenced to undergo rigorous imprisonment for life along with a fine of Rs. 10,000/- for the offence u/s 376AB of the Indian Penal Code.

It has been alleged that the appellant has abducted the niece of the informant, but on chase she was rescued. The child had disclosed about attempts made by the appellant of committing sexual assault upon her. The victim who is aged about six years has been examined as P.W. 1. She has categorically stated that the appellant had inserted his finger in her private parts and had also made an attempt at penetrative assault. The medical report indicates that the hymen was torn and there was swelling and inflammation found on the private part of the child.

On consideration of aforesaid facts, we are not inclined to grant bail to him. Accordingly, the prayer for bail of the appellant is hereby rejected.

I.A. No. 3766 of 2022 stands rejected.

(RONGON MUKHOPADHYAY, J.)

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(AMBUJ NATH, J.)