

**Mohan Rai Alias Mohan Kumar Rai Vs. The State of Jharkhand**

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**SooperKanoon Citation :** [sooperkanoon.com/111136](http://sooperkanoon.com/111136)

**Court :** Jharkhand

**Decided On :** Oct-09-2017

**Appellant :** Mohan Rai Alias Mohan Kumar Rai

**Respondent :** The State of Jharkhand

**Judgement :**

IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 7060 of 2017  
Mohan Rai @ Mohan Kumar Ray Petitioner versus The State of Jharkhand Opp.  
Party ----- CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY  
----- For the Petitioner : Mr. Arwind Kumar, Advocate, For the State : Addl. P.P.  
----- Order No. 04: Dated 09th October, 2017 The petitioner has been made  
accused in connection with Chalkusa P.S. Case No. 07 of 2017 (G.R. Case No.  
654 of 2017) registered under Sections 366 A/376 of the Indian Penal Code and  
section 04 of the POCSO Act. Heard the parties. Learned counsel for the  
petitioner submits that the prosecutrix has recorded her statement u/s 164 of  
Cr.P.C. and a certified copy of that is annexed at page 13 of the brief in which she  
has not supported the allegation of rape against the petitioner. It is further  
submitted that she has married with the petitioner and that the allegations against  
the petitioner are false, therefore, the petitioner may be released on bail. The  
learned Addl. P.P. opposes the prayer for bail. Considering the submissions of the  
counsel and the fact as discussed above, I am of the opinion that this is a fit case  
where the petitioner, named above, be released on bail on furnishing bail bond of  
Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to

the satisfaction of learned Additional Sessions Judge cum Special Judge, (POCSO) Hazaribag in connection with Chalkusa P.S. Case No. 07 of 2017 (G.R. Case No. 654 of 2017). (Anil Kumar Choudhary, J.) MM IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 7095 of 2017 Gudu Chaudhary @ Gudi Chaudhary Petitioner versus The State of Jharkhand Opp. Party ----- CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY ----- For the Petitioner : Mr. S.K. Singh, Advocate For the State : Addl. P.P. ----- Order No. 02: Dated 09th October, 2017 The petitioner has been made accused in connection with Chainpur P.S. Case No. 113 of 2017 (G.R. Case No. 1187 of 2017) registered under Sections 302/34 of the Indian Penal Code. Heard the parties. Learned counsel for the petitioner submits that four accused persons dragged the mother of the informant and murdered her. It is further submitted that there is specific allegation against the co-accused Parmeswar Choudhary of assaulting on the head of the deceased. There is only general and omnibus allegation against the petitioner. Co-accused persons namely Rajendra Chaudhary vide order dated 18.05.2017 in B.A. No. 9827 of 2014 and Nanhak Chaudhary vide order dated 17.09.2015 in B.A. No. 4790 of 2015 have been granted bail by this Court, therefore, the petitioner may be released on bail. The learned Addl. P.P. opposes the prayer for bail. Considering the submissions of the counsel and the fact as discussed above, I am of the opinion that this is a fit case where the petitioner, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Palamau in connection with Chainpur P.S. Case No. 113 of 2017 (G.R. Case No. 1187 of 2017). (Anil Kumar Choudhary, J.) MM IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 7220 of 2017 Dhananjay Kumar Agarwal Petitioner versus The State of Jharkhand Opp. Party ----- CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY ----- For the Petitioner : Mr. S.K. Singh, Advocate, For the State : Addl. P.P. ----- Order No. 02: Dated 09th October, 2017 The petitioner has been made accused in connection with Sadar Town P.S. Case No. 82 of 2017 (G.R. Case No. 741 of 2017) registered under Sections 379 of the Indian Penal Code. Heard the parties. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. The petitioner is in custody since 13.04.2017 as has been mentioned at para

10 of the brief. The petitioner has been implicated in this case on the basis of confessional statement of Rahul Kumar Thakur, who has been granted bail by a Bench of this Court vide order dated 06.07.2017 in B.A. No. 5246 of 2017, therefore, the petitioner may be released on bail. The learned Addl. P.P. opposes the prayer for bail. Considering the submissions of the counsel and the fact as discussed above, I am of the opinion that this is a fit case where the petitioner, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Palamau in connection with Sadar Town P.S. Case No. 82 of 2017 (G.R. Case No. 741 of 2017). (Anil Kumar Choudhary, J.) MM IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 7223 of 2017 Kamal Kumar Singh Petitioner versus The State of Jharkhand Opp. Party ----- CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY ----- For the Petitioner : Mr. Lalit Yadav, Advocate, For the State : Addl. P.P. ----- Order No. 02: Dated 09th October, 2017 Learned counsel for the petitioner submits that earlier the bail application of this petitioner rejected by the Court of Hon'ble Mr. Justice H.C. Mishra. Hence, the matter be placed before his lordship. Registry is directed to place the matter before Hon'ble the Acting Chief Justice for appropriate orders. (Anil Kumar Choudhary, J.) MM IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 7225 of 2017 Kailash Yadav Petitioner versus The State of Jharkhand Opp. Party ----- CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY ----- For the Petitioner : Mr. Ashok Kumar, Advocate, For the State : Addl. P.P. ----- Order No. 04: Dated 09th October, 2017 The petitioner has been made accused in connection with Kaira P.S. Case No. 16 of 2015 (G.R. Case No. 308 of 2015) registered under Sections 147/148/149/353/385/387/427/435/506 of the Indian Penal Code and 27 of Arms Act and section 17 of the CLA Act. Heard the parties. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He has been implicated in this case on the basis of confessional statement of co-accused namely Barun Kumar Yadav @ Barun Yadav who has been granted bail by a Bench of this Court vide order dated 05.09.2016 in B.A. No. 4663 of 2016. It is also submitted that the allegations against the petitioner are false. The petitioner has been in custody since 11.04.2017 as has been mentioned in paragraph 7 of

the brief; therefore, the petitioner may be released on bail. The learned Addl. P.P. opposes the prayer for bail. Considering the submissions of the counsel and the fact as discussed above, I am of the opinion that this is a fit case where the petitioner, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lohardaga in connection with Kaira P.S. Case No. 16 of 2015 (G.R. Case No. 308 of 2015). (Anil Kumar Choudhary, J.) MM IN THE HIGH COURT OF JHARKHAND AT RANCHI B.A. No. 7228 of 2017 Rahul Sao @ Rahul Kumar Sao @ Rabi Sao Petitioner versus The State of Jharkhand Opp. Party ----- CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY ----- For the Petitioner : Mr. Mahesh Tewari, Advocate For the State : Addl. P.P. ----- Order No. 02: Dated 09th October, 2017 The petitioner has been made accused in connection with Chhatarpur P.S. Case No. 153 of 2015 (G.R. Case No. 1754 of 2015) registered under Sections 394 of the Indian Penal Code and section 27 of the Arms Act. Heard the parties. Learned counsel for the petitioner submits that though the final form has been submitted after completion of investigation but the petitioner has not been put in T.I. Parade. It is also submitted that the allegations against the petitioner are false. The petitioner has been in custody since 20.07.2016 as mentioned in paragraph 5 of the brief; therefore, the petitioner may be released on bail. The learned Addl. P.P. opposes the prayer for bail and submits that charge has been framed against the petitioner on 19.04.2017 but no witness was examined till 28.07.2017. Considering the submissions of the counsel and the fact as discussed above, I am of the opinion that this is a fit case where the petitioner, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Palamau in connection with Chhatarpur P.S. Case No. 153 of 2015 (G.R. Case No. 1754 of 2015). (Anil Kumar Choudhary, J.) MM