

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.2445 of 2026

Subhash Kumar Jha @ Subhash Jha, aged about 22 years,
 Sex-Male, S/o-Ashok Jha, R/o Paraul, Madhubani, P.O. +
 P.S.-Madhubani, Dist.-Madhubani, Bihar.

... .. **Petitioner**

Versus

The State of Jharkhand **Opp. Party**

CORAM : HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

For the Petitioner : Ms. Savita Kumari, Advocate

For the State : Mrs. Lily Sahay, A.P.P.

Order No. 02/Dated 25th March, 2026

1. The instant application has been filed under Sections 483 and 484 of the BNSS, 2023 seeking therein direction to enlarge the petitioner on regular bail in connection with Spl. POCSO Case No.114 of 2025 arising out of Argora P.S. Case No.328 of 2021, registered for the offence under Sections 377 and 506 of the Indian Penal Code and Section 4(2) of the POCSO Act, pending in the court of learned A.J.C.-IV-cum-Special Judge, POCSO Act, Ranchi.

2. Learned counsel for the petitioner has submitted that it is a case in which the petitioner has falsely been implicated since there is no witness to corroborate the occurrence.

3. It has further been submitted that the petitioner is in custody since 19.05.2025.

4. While on the other hand, Mrs. Lily Sahay, learned Additional Public Prosecutor, has vehemently opposed the prayer for regular bail.

5. It has been submitted that it is a case where 12 years old boy has been subjected to unnatural sex. The victim has identified the accused.

6. It has further been submitted that the occurrence has been supported in the statement recorded under Section 164 Cr.P.C. (para materia Section 183 of the B.N.S.S).

7. Learned State counsel, based upon the aforesaid grounds, has submitted that the prayer made by the petitioner for grant of regular bail is fit to be rejected.

8. This Court has heard the learned counsel for the parties and gone through the imputation made in the First Information Report wherefrom it is evident that 12 years old boy has been subject to unnatural sex.

9. It is also on record that the victim has identified the accused person. Subsequent thereto, the statement of the victim has been recorded under Section 164 Cr.P.C. which has been taken into consideration by the learned court and based upon the statement, it has been found that the occurrence has fully been supported by the victim.

10. This Court, considering the nature of offence committed by the petitioner, is of the view that it is not a case where the bail application is to be allowed.

11. Accordingly, the instant bail application is rejected.

(Sujit Narayan Prasad, J.)

Date : 25th March, 2026

Birendra/