

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (D.B.) No. 240 of 2026

Shyamnath Munda **Appellant**

Versus

State of Jharkhand **Respondent**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellant : Mr. Atanu Banerjee, Advocate
For the State : A.P.P.

I.A. No. 2449 of 2026

04/23.04.2026 Heard Mr. Atanu Banerjee, learned counsel for the appellant and learned A.P.P. for the State.

This interlocutory 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 376(2)(n) and 376(2)(j) of the Indian Penal Code and has been sentenced to undergo R.I. for 10 years along with a fine of Rs. 5,000/-.

It has been alleged that the informant and his family were in jail in connection with a murder case and the sister of the informant remained alone in the house. It has further been alleged that after the informant came out of jail, he found his sister mentally ill and on 26.04.2022 when the informant woke up, he saw the appellant and his sister in a compromising position.

Submission has been advanced by the learned counsel for the appellant that during the pendency of the trial the victim had died. It has been submitted while referring to the 164 Cr.P.C. statement of the victim that no allegation of rape has been alleged by her. Learned counsel further submits that though it has been stated that the appellant was caught red handed in a compromising position while being physically involved with the sister of

the informant but the medical report belies such assertion. In fact, the appellant was arrested from his own house. Learned counsel further adds that the appellant was all along on bail during trial.

Learned A.P.P. has opposed the prayer for bail of the appellant.

It appears from the medical report that the sister of the informant who was in a depressive state of mind and was mentally ill was found to have been habitually involved in sex which further more strengthens the case of the prosecution that on the pretext of looking after the sister of the informant as she was alone in the house and the other inmates were in jail in connection with a murder case the appellant had regularly established physical relationship with her.

Regard being had to the above, we are not inclined to admit the appellant on bail. His prayer for bail is hereby rejected at this stage.

I.A. No. 2449 of 2026 stands rejected.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Dated, the 23rd April, 2026
A. Sanga/-
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