

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No. 403 of 2025

Dhananjay Singh, aged about 24 years, Son of Sudhir Singh, Resident of Village – Bara Ulda, P.O. and P.S. – Galudih, District – East Singhbhum.

..... Appellant

Versus

1. The State of Jharkhand
2. Victim

..... Respondents

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

For the Appellant : Mr. A.K. Chaturvedy, Advocate.
For the State : Mr. Shailendra Kumar Tiwari, Spl.P.P.

Order No. 09/Dated: 18th September, 2025

I.A. No. 9648/2025

1. Heard Mr. A.K. Chaturvedy, learned counsel for the appellant and Mr. Shailendra Kumar Tiwari, learned Spl.P.P. for the State.
2. This application has been preferred by the appellant for grant of bail to him during the pendency of this appeal.
3. The appellant has been convicted for the offences punishable under Section 376 (3) of the I.P.C. and Section 4 (2) of the POCSO Act and has been sentenced to undergo rigorous imprisonment for twenty years along with fine of Rs. 1,000/- under Section 4 (2) of the POCSO Act.
4. It has been alleged that the daughter of the informant was under some stress for the last one week and despite the informant asking her daughter about the reason, the same was not disclosed. On

26.10.2020, the informant came to know that obscene photographs of her daughter with the present appellant was circulating in the mobile. On being asked, the daughter of the informant had disclosed that last Monday while she was returning from the shop, the appellant had dragged her inside an under constructed house and forcibly made physical relationship with her. She has also stated that obscene photographs were taken and uploaded in the school group.

5. Submission has been advanced by Mr. Chaturvedy, learned counsel for the appellant that so far as the allegation with respect to uploading the obscene photographs is concerned, the appellant as well as co-accused Narendra Singh has been acquitted by the learned trial court. It has further been submitted that there has been inordinate delay in institution of the first information report and the evidence of victim, who has been examined as P.W.-5, does not categorically reveal that it was the present appellant who had subjected her to rape. Learned counsel has also referred to the medical report while submitting that the same has not ascertained that it was the appellant, who had committed rape upon the victim. It has also been submitted that in 164 Cr.P.C. statement of the victim, she has not stated that the appellant had committed rape upon her and subsequently, in her evidence, she has developed a story and implicated the appellant as well as another accused namely, Jitendra of sexual abuse.

6. Learned Spl.P.P. has opposed the prayer for bail of the appellant.

7. It appears that the appellant as well as co-accused Narendra Singh had been acquitted from the charges under the Information Technology Act, but at the same time, the evidence of P.W.-5 clearly reveals about this appellant being involved in committing rape upon the victim.

8. On consideration of evidence of P.W.-5, we are not inclined to admit the appellant on bail. The prayer for bail of the appellant is hereby rejected at this stage.

9. I.A. No. 9648 of 2025 stands rejected.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Sunil/