

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (D.B.) No. 656 of 2025

Anil Gope **Appellant**

Versus

The State of Jharkhand **Respondent**

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. Sanjay Kr. Srivastava, A.P.P.

I.A. No. 10822 of 2025

04/18.09.2025 Heard Mr. A.K. Chaturvedy, learned counsel for the appellant and Mr. Sanjay Kr. Srivastava, 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 6 of the POCSO Act and Section 306/116 of the IPC and has been sentenced to undergo R.I. for 20 years along with a fine of Rs. 20,000/- for the offence u/s 6 of the POCSO Act.

It has been alleged that the daughter of the informant was subjected to sexual abuse by the appellant for a considerable length of time and it had been disclosed by her that when she had refused to meet the appellant, she had put her to test of jumping from the bridge which she followed resulting in her suffering fracture injuries on various parts of her body.

Submission has been advanced by the learned counsel for the appellant that there has been an inordinate delay in institution of the First Information Report. It has been submitted that the first incident of commission of rape is alleged to have taken place on March, 2020 and the victim had attempted to commit suicide on 03.07.2021 but the case was lodged on 07.06.2023 and no plausible explanation has been given with respect to the delay in institution of the First Information Report. Learned counsel has further submitted

that the matter has been compromised between the parties and the appellant has assured to solemnize marriage with the victim.

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

Though there appears to be some delay in lodging the First Information Report despite the first incident of rape as well as the attempt to commit suicide which had taken place much earlier to the institution of the said case but it appears that sufficient explanation has been given by the victim as well as by the informant to the effect that even after the said incidents the appellant had assured the victim of solemnizing marriage with her and had continued to establish physical relationship with her. Apart from giving proper explanation with respect to the delay in institution of the First Information Report the evidence of the victim who has been examined as P.W.2 categorically reveals the manner in which she was allured into establishing of physical relationship with the appellant on the pretext of marriage which had continued unabated and when there was a break the appellant had instigated the victim to jump into the river which she had diligently followed leading to her suffering fracture injuries.

On consideration of the evidence of P.W.2 who is a minor and the entire circumstances of the case as depicted in her evidence as well as the evidence of the other witnesses, we are not inclined to admit the appellant on bail. His prayer for bail is hereby rejected at this stage.

I.A. No. 10822 of 2025 stands rejected.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)