

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (D.B.) No. 452 of 2026

Mintu Kumar @ Mintu Lohra Appellant

Versus

The State of Jharkhand Respondent

CORAM: Hon'ble Mr. Justice Rongon Mukhopadhyay

Hon'ble Mr. justice Arun Kumar Rai

For the Appellant: Mr. Nilesh Kumar, Advocate

For the Resp.-State: Spl.P.P.

I.A. No. 8452/2026

04/ 27.07.2026 Heard Mr. Nilesh Kumar, learned Counsel for the appellant and learned Spl.P.P.

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 offence under Sections 363, 366A, 354B, 417, 506, 376(2)(n) IPC and Section 6 and 8 of POCSO Act and has been sentenced to R.I. for life (remainder of person natural life) along with a fine of Rs. 20,000/- for the offence under Section 6 of the POCSO Act.

4. It has been alleged that the appellant had induced both the victims to get them inducted in the tour programme of Ursuline Middle School, Lohardaga to Ranchi. While returning, they missed the train and thereafter the appellant had taken both the victims to a room for rest and when the daughter of the informant was alone in the said room, the appellant had committed rape upon her.

5. Submission has been advanced by the learned Counsel for the appellant that though the incident is said to have taken

place in December, 2022, but the First Informant Report was lodged on 31.05.2023.

6. Learned Counsel submits that no plausible explanation has been furnished by the informant with respect to the delay in lodging of the First Information Report.

7. It has further been submitted that there was a land dispute between the informant and the appellant which has been stated by P.W. 5 & P.W.6 and this fact has also been supported by the Investigating Officer.

8. Learned Counsel submits that as per P.W.8 no sign of rape was detected on the person of the victim.

9. It has also been submitted that the appellant is in custody since 01.06.2023.

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

11. It seems that apart from the inordinate delay in lodging of the First Information Report the enmity between both the sides have come to the surface on account of the evidence of P.W.5 and P.W.6 and even the Investigating Officer had found some substance of truth in the said allegation.

12. It also appears that as per the victim who has been examined as P.W.1, she has stated that she and the other victim were taken by the appellant to the house of one Sumit Gupta where all three had spent the night but neither the Police had examined Sumit Gupta nor he has been arrayed as a witness by the prosecution.

13. On Consideration of the aforesaid facts and circumstances of the case, we are inclined to admit the

appellant on bail. Accordingly, during the pendency of this appeal, the appellant is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-I-cum-Special Judge (POCSO), Lohardaga, in connection with Special POCSO Case No. 36 of 2023 arising out of Lohardaga (M) P.S. Case No. 17 of 2023.

14. I.A. No. 8452 of 2026 stands disposed of.

(Rongon Mukhopadhyay, J)

(Arun Kumar Rai, J.)

27th July, 2026
P.K.S./Suman
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