

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (D.B.) No. 554 of 2025

Shailesh Baraik **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. Kashyap, Sr. Advocate

For the State : Mr. Pankaj Kr. Mishra, A.P.P.

I.A. No. 11430 of 2025

03/18.09.2025 Heard Mr. A.K. Kashyap, learned Senior Counsel
for the appellant and Mr. Pankaj Kr. Mishra, learned A.P.P.
for the State.

Learned A.P.P. has submitted at the Bar the
objection affidavit.

Let the same be kept on the record.

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 376D, 506 of the Indian Penal Code and Section 4, 6, 8 of
the POCSO Act and has been sentenced to undergo R.I. for 20
years along with a fine of Rs. 20,000/- for the offence u/s
376D of the Indian Penal Code.

It has been alleged that the daughter of the
informant had gone to see the Dussehra fair on 15.10.2021
but she did not return. On the next day the daughter of the
informant returned who was very scared and in the
subsequent night she had disclosed about the incident
regarding the accused persons including the present
appellant taking her on a motorcycle and after consuming
liquor had thereafter subjecting her to rape the whole night.

Submission has been advanced by the learned
Senior Counsel for the appellant that the medical report does
not support the factum of rape. It has further been submitted
that as per the evidence of the victim she is a major.

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

The evidence of the victim who has been examined as P.W.1 clearly reveals that she was taken away on a motorcycle by the accused persons and thereafter she was given liquor and the accused persons had also consumed liquor and finally she was subjected to rape by all the accused persons including the present appellant. The medical report is to a certain extent supportive of the factum of commission of rape as alleged by P.W.1

On consideration of 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. 11430 of 2025 stands rejected.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Dated, the 18th September, 2025
A. Sanga/-