

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**Cr. Appeal (DB) No. 751 of 2025**

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|------------------------|-----|------------|
| Uttam Kumar Mahto      | ... | Appellant  |
| Versus                 |     |            |
| The State of Jharkhand | ... | Respondent |

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

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| For the Appellant | : Mr. Shiv Prasad Singh, Advocate |
| For the State     | : Mr. Rajneesh Vardhan, A.P.P.    |

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**03/17.09.2025**

**I.A. No. 5650 of 2025**

Heard the learned counsel for the respective parties.

This 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 under sections 376(2)(n), 376(3) of the IPC and section 4(2) of the POCSO Act and has been sentenced to undergo RI for 20 years along with a fine of Rs.10,000/- for the offence under section 4(2) of the POCSO Act.

It has been alleged that when the victim had gone to answer the call of nature the appellant had accosted her and had committed rape upon her. Such act led to the victim becoming pregnant and on inquiry she had disclosed that it was the appellant who had committed rape upon her which resulted in her pregnancy.

Submission has been advanced by the learned counsel for the appellant that the age of the victim has not been ascertained. It has further been submitted that the victim had delivered a dead foetus and no DNA test was undertaken to ascertain as to whether the same was on account of the rape committed upon the victim by the appellant. The learned counsel submits that the appellant is in custody since long.

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

The evidence of the victim, who has been examined as PW-1 clearly states that it was the appellant who had accosted her and committed rape upon her resulting in her becoming pregnant. The age of the victim has been assessed to be 14-15 years and the school leaving certificate reveals that her date of birth is 27.12.2006 while the incident

had taken place between March, 2020 to December, 2020 which clearly indicates that the victim was a minor at the time of incident.

On consideration of the aforesaid facts, we are not inclined to admit the appellant on bail. His prayer for bail is hereby rejected.

I.A. stands rejected.

**(RONGON MUKHOPADHYAY, J.)**

**(PRADEEP KUMAR SRIVASTAVA, J.)**

Dated: **17.09.2025**  
S.B.