

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No. 550 of 2025

Vikash Kumar, aged about 25 years, Son of Sukhdeo Mistri, Resident of Village – Bajaniya, P.S. – Satgawan, P.O. – Madhopur, District – Koderma, Jharkhand.

..... **Appellant**

Versus

State of Jharkhand

..... **Respondent**

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

For the Appellant	: Mr. B.M. Tripathi, Sr. Advocate. Mr. Naveen Kumar Jaiswal, Advocate.
For the State	: Mr. Pankaj Kumar, P.P.
For the Informant	: Mr. Rakesh Kumar Gupta, Advocate.

Order No. 04/Dated: 28th August, 2025

I.A. No. 9162/2025

1. Heard Mr. B.M. Tripathi, learned senior counsel for the appellant and Mr. Pankaj Kumar, learned P.P. assisted by Mr. Rakesh Kumar Gupta, learned counsel for the informant.
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 punishable under Section 6 of the POCSO Act and has been sentenced to undergo R.I. for 20 years along with fine of Rs. 25,000/-.
4. It has been alleged that the marriage of the victim was finalized with the appellant and ring ceremony was also performed. An amount of Rs. 4,60,000/- was paid by the father of the victim to the appellant as dowry. Subsequent thereto, the appellant had established physical relation with the victim and the marriage was deferred and ultimately, the appellant had been solemnized marriage elsewhere.

5. Submission has been advanced by the learned senior counsel for the appellant that the appellant was all along on bail during trial. It has further been submitted that in the evidence of victim (P.W.-1) and in her statement recorded under Section 164 of the Cr.P.C., it would be apparent that after the ring ceremony was performed, physical relationship was established between the appellant and the victim.

6. Learned P.P. as well as learned counsel for the informant have opposed the prayer for bail of the appellant.

7. The evidence of P.W.-1 categorically reveals that taking advantage of her mental status on account of the ring ceremony having been performed, the appellant had established physical relation with her and thereafter, had solemnized marriage elsewhere.

8. Regard being had to the evidence of the victim and the fact that the victim was aged about 16 years at the time of incident, we are not inclined to release the appellant on bail. The prayer for bail of the appellant is hereby rejected.

9. I.A. No. 9162 of 2025 stands rejected.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Sunil/