

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No.764 of 2025

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Santosh Kumar Mishra, aged about 33 years, S/O Bikram Mishra
 @ Bikram Mishra, R/O House No.45, PO+PS-Brahampur, Buxar,
 District: Buxar, Bihar, 802130

.....Appellant

Versus

1.The State of Jharkhand
 2. Complainant

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. B.K. Dubey, Advocate
 For the State : Mr. Naveen kr. Ganjhu, A.P.P.

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Order No.08/27th November 2025

1. This Criminal Appeal (SJ) has been filed on behalf of the appellant for grant of regular bail by challenging the order dated 07.05.2025 passed by Sri Shwaymbhu, learned Addl. Sessions Judge-I-cum-Spl. Judge, SC/ST Act, Lohardaga in Misc. Criminal Application No.164/25 in connection with SC/ST Case No.03/25, SC/ST P.S. Case No.11/22, by which the prayer of bail of the appellant has been rejected for the offences under Sections 376(2)(n), 417,387,506 of IPC and under Section 3(1)(w)(i), 3(1)(w)(ii), 3(2)(v) of SC/ST Act.

2. As per the allegation, the appellant had established physical relationship with the Informant on the pretext of marriage. The appellant had also took the complainant at Goyal Hotel and also took her indecent photographs and videography of her.

Thereafter, he is also alleged to have circulated the indecent photographs and videos on social media.

3. Heard learned counsel for the appellant and learned APP.

4. Learned counsel for the appellant submitted that the impugned order passed by the learned Court below is illegal and not sustainable in eye of law. It is submitted that the appellant is innocent and has not committed any offence and has been falsely implicated in this case and. It is submitted that the victim girl is a minor. It is submitted that the appellant has not put any photograph or video of the victim girl on social media platform. It is submitted that the allegation of demanding money from the complainant is also false and concocted. It is submitted that the appellant is in custody since 23.02.2025 and hence he may be enlarged on bail.

5. On the other hand, learned APP has opposed the prayer of bail. It is submitted that the appellant had committed rape upon the victim girl. It is submitted that the appellant had took her indecent photographs and made her video viral on social media, which is supported by the witness namely Bihari Bhagat mentioned in para 46, 47, 60 and 61 of the case diary. It is submitted that in para 46, 47, 60, 61, the victim has produced the photograph of hotel, house and screenshot of photographs and hence the prayer of bail of the appellant may be rejected.

6. Having heard learned counsel for both the sides and from perusal of the records of this case, it appears that the appellant had established physical relationship with the complainant-Informant on the pretext of marriage.

7. It also appears that the appellant has taken certain amount from the complainant-Informant also.

8. It also appears that the appellant has put her indecent photographs and video on social media.

9. In view of the above, this Court is not inclined to grant the bail to the appellant.

Hence, the prayer for bail of the appellant is hereby rejected at this stage.

10. Thus, the impugned order dated 07.05.2025 passed by Sri Shwaymbhu, learned Addl. Sessions Judge-I-cum-Spl. Judge, SC/ST Act, Lohardaga in Misc. Criminal Application No.164/25 in connection with SC/ST Case No.03/25, SC/ST P.S. Case No.11/22 is affirmed.

11. Thus, this Criminal Appeal (SJ) No.764 of 2025 is hereby dismissed.

(Sanjay Prasad, J.)

Dated 27.11.2025

Nishant/-