

(2025:JHHC:18619)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 5644 of 2025

Sanabil Raza, aged about 18 years, son of Shahzad Alam,
resident of village -Dewariya, P.O.+P.S. -Dewariya, District -
Hazaribagh, Jharkhand.

... Petitioner

Versus

The State of Jharkhand

...

Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Pratik Sen, Advocate

For the State : Mr. P.K. Chatterjee, Spl. P.P.

Order No.02 Dated- 09.07.2025

Heard the parties.

The petitioner has moved this Court for grant of bail in connection with Special POCSO Case No. 38 of 2025 arising out of Barkagaon P.S. Case No.44 of 2025 registered for the offences punishable under sections 64(1) of the B.N.S., 2023 and under Section 4 of the POCSO Act, 2012.

The learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner committed penetrative sexual intercourse upon the minor victim girl. It is further submitted that the allegations against the petitioner are all false and there is no compliance of Section 35 of the POCSO Act. It is next submitted that there is an ordinate delay of seven days in lodging the F.I.R. It is further submitted that the petitioner undertakes to cooperate with the trial of the case. Hence, it is submitted that the petitioner be admitted to bail.

The learned Addl. P.P. on the other hand vehemently opposes the prayer for bail and submits that keeping in view the serious nature of allegation against the petitioner of committing penetrative sexual intercourse upon the victim which was supported by the victim girl in her statement recorded under Section 183 of the B.N.S.S., there is every chance of the petitioner tampering with the evidence and absconding, if released on bail.

Hence, it is submitted that the petitioner ought not to be admitted to bail.

Considering the serious nature of allegation against the petitioner and the chance of his tampering with the evidence and absconding, if released on bail, this Court is of the considered view that this is not a fit case where the above-named petitioner be admitted to bail.

Accordingly, the prayer for bail of the above-named petitioner is rejected.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/