

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (DB) No. 800 of 2025

Rahul Tirkey @ Etwa Oraon ... 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

For the Appellant : Mr. Rajesh Kr. Mahtha, Advocate

For the State : Mr. Saket Kumar, A.P.P.

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03/15.09.2025

I.A. No. 9686 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 366/376(2)(n) of the IPC and section 6 of the POCSO Act and has been sentenced to undergo RI for 20 years along with a fine of Rs.20,000/- for the offence under section 6 of the POCSO Act.

It has been alleged that the informant was taken away by a person on a motorcycle and on inducement the informant was taken to Ranchi where she was kept in a room and was subjected to sexual abuse.

Submission has been advanced by the learned counsel for the appellant that the victim had never raised any hue and cry though it is said that she had accompanied the appellant on a motorcycle. The learned counsel further submits that the appellant is in custody since 06.06.2022.

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

The evidence of the victim who has been examined as PW-2 clearly reveals that the appellant had induced her, taken her on a motorcycle and kept in a room where she was subjected to rape. It appears that the appellant is a married person and the age of the victim has been assessed to be 13-17 years. The medical report does support the factum of rape as alleged by the victim-informant.

Regard being had to the above, we are not inclined to admit the appellant on bail. His prayer for bail is hereby rejected at this stage.

I.A. stands rejected.

(RONGON MUKHOPADHYAY, J.)

(PRADEEP KUMAR SRIVASTAVA, J.)

Dated: 15.09.2025

S.B.