

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No.755 of 2025

Santosh Oraon, aged about 29 years, Son of Fakira Oraon, resident of Garhgaon Semertoli, P.O. Senha, P.S. Senha, District Lohardaga, Jharkhand. ... Appellant

Versus

The State of Jharkhand ... Respondent

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

For the Appellant : Mr. Indrajit Sinha, Adv.
For the State : Mr. Shailesh Kr. Sinha, A.P.P.

Order No.04/Dated- 14.10.2025

I.A. No.12674 of 2025

1. Heard Mr. Indrajit Sinha, learned counsel for the appellant and learned A.P.P.
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 under Section 6 of the P.O.C.S.O. Act and has been sentenced to undergo imprisonment for life which shall be remainder of his natural life along with fine of Rs.25,000/-.
4. It has been alleged that when the daughter of the informant went out to attend the call of nature, the accused persons including the present appellant had dragged her towards a secluded place where she was subjected to rape. It has further been alleged that on 26.01.2021, while the victim was once again passing through the road, co-accused Mantu Singh had stopped her and had tried to forcibly take her away and when she had raised an alarm, Mantu Singh had fled away.
5. Submission has been advanced by Mr. Sinha, learned counsel for the appellant that the initial date of occurrence is 13.01.2021, when the victim was said to have taken away by the

appellant and other co-accused persons to a secluded place where she was subjected to rape and another date of incident is 26.01.2021 in which Mantu Singh was trying to forcibly take away the victim. It has been submitted that the First Information Report has been instituted on 01.02.2021 and such inordinate delay has not been explained by the prosecution. Learned counsel adds that out of 12 charge-sheet witnesses, 6 independent witnesses have been declared hostile by the prosecution and all have stated about the mother of the victim having taken an amount of Rs.28,000/- on loan which she was not intending to return and which is the cause for false implication of the appellant. Reference has also been made to the medical examination report wherein no sign of rape was found on the person of the victim, whose age was assessed to be 11 years.

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

7. Although, there seems to be a delay in institution of the First Information Report but the same appears to have been sufficiently explained by the prosecution and the evidence of the victim furthermore enhances the case of the prosecution with respect to the involvement of the appellant in committing rape upon the victim along with two other accused persons.

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

9. Accordingly, I.A. No.12674 of 2025 stands rejected.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)