

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No. 568 of 2025

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Prabhat Ranjan @ XXX, aged about 17 years, S/o Binod Das @
 ABC, R/o Vill- Nagabad, PO + PS-Dumri, District-Giridih

..... **Appellant**

Versus

The State of Jharkhand

..... **Respondent**

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. Prashant Kumar Rai, Advocate

For the State : Mr. Satish Kumar Keshri, A. P. P.

For the Informant : Mr. Sudhir Kumar Roy, Advocate

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ORAL ORDER IN COURT

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04/15.10.2025 This Criminal Appeal has been filed on behalf of the appellant under Section 101 (5) of the Juvenile Justice (Care and Protection of Children) Act, 2015 challenging the order dated 02.05.2025 passed by learned Additional Sessions Judge-I, Giridih in M. C. A. No. 837 of 2025 whereby learned Additional Sessions Judge-I, Giridih has rejected the prayer for bail of the juvenile- appellant in connection with Giridih (Mahila) P. S. Case No. 02 of 2024 corresponding to Children Case No. 04 of 2025 instituted for the offences under Sections 376 (N) and 417 of the Indian Penal Code.

2. As per the FIR, the appellant is alleged to have established physical relationship on the pretext of marriage with the victim girl -Informant for last two years and thereafter lastly he met her on 06.01.2024. It is submitted that all of the family members of the appellant were aware of their relationship. However, the appellant switched off his mobile phone.

3. Heard learned counsel for the appellant and learned

counsel for the State and learned counsel for the Informant.

4. It is submitted by the learned counsel for the appellant that the appellant is innocent and has not committed any offence. It is submitted that the allegation of establishing physical relationship is not correct, rather the physical relationship was established with consent of both the sides. It is submitted that the victim girl is a major girl and she has refused for her medical examination, which has come in para- 7 of the case diary. It is submitted that the appellant is in custody since 22.01.2025 i.e. for around nine (9) months and as such, he may be enlarged on bail.

5. On the other hand, learned counsel for the State has opposed the prayer for bail and has submitted that the appellant has induced the victim girl to establish physical relationship on the pretext of marriage and later on he refused to marry with her. It is submitted that witnesses namely Sukar Das and Bhola Das in para- 150, 151 have stated that the appellant and his family members had demanded dowry, four wheeler vehicle and cash and which could not be paid by the family of the victim girl and the marriage could not be settled and hence the prayer for bail of the juvenile- appellant may be rejected.

6. Learned counsel for the Informant, after adopting the submission of the learned counsel for the State, has submitted that the appellant has prepared forged AADHAR Card of Informant by showing him as husband of the victim girl. It is submitted that although the victim girl could not be examined medically due to certain reason. It is submitted that the victim girl is still ready to marry with the appellant and hence, the prayer for bail of the juvenile- appellant may be rejected.

7. Having heard learned counsel for the both the sides and from perusal of the case diary, it appears that the appellant and the victim girl were in relationship for last two years as per their own consent.

8. It appears that the victim girl has refused for her medical examination.

9. It further appears that the appellant is in custody since 22.01.2025.

10. It is well settled by the Judgment rendered by the Hon'ble Supreme Court in the case of **Rajnish Singh @ Soni v. State of Uttar Pradesh and Another** reported in (2025) 4 SCC 197 that long consensual relationship between the parties may not amount to commission of rape and the allegation of rape is diluted.

11. However, physical relationship between the appellant and the victim girl has been established with the consent of both the sides.

12. Considering the facts and the circumstances of the case and also the fact that the appellant is in custody since 22.01.2025, the appellant namely Prabhat Ranjan @ XXX is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Giridih/or his Successor Court in M. C. A. No. 837 of 2025 in connection with Giridih (Mahila) P. S. Case No. 02 of 2024 corresponding to Children Case No. 04 of 2025 subject to the condition that one of the bailors must be own relative of the appellant and the appellant shall also file an Undertaking before the learned Court below that he will not

tamper with the evidences and will not give threat to the prosecution witnesses, otherwise prosecution will be at liberty to take steps for cancellation his bail and the appellant will submit self-attested copy of his Aadhar Card and will also submit his mobile number before the learned Court below, which he will always keep active and will not change it, during the pendency of this case, without prior permission of the Court and the appellant shall not leave the jurisdiction of the Court without prior permission of the learned Court below.

13. Therefore, in view of the above, the impugned order dated 02.05.2025 passed by learned Additional Sessions Judge-I, Giridih in M. C. A. No. 837 of 2025 in connection with Giridih (Mahila) P. S. Case No. 02 of 2024 corresponding to Children Case No. 04 of 2025 is set aside.

14. Thus, the Criminal Appeal (SJ) No. 568 of 2025 is allowed and stands disposed of.

(Sanjay Prasad, J.)

Dated 15.10.2025
Kamlesh/