

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (D.B) No.1175 of 2024

Suraj Singh ... Appellant

Versus

State of Jharkhand ... Respondent

**Coram: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE ARUN KUMAR RAI**

For the Appellant : Mr. B.M. Tripathi, Sr. Advocate

For the State : Mr. Manoj Kr. Mishra, A.P.P.

Order No.07/Dated: 30.06.2026

I.A. No.8162 of 2026

1. Heard Mr. B.M. Tripathi, learned Sr. Counsel for the appellant and learned A.P.P.
2. The prayer for bail of the appellant was earlier dismissed as withdrawn in I.A. No. 5514 of 2025.
3. The appellant has been convicted for the offences under Sections 341/34, 323/34, 376(2)(n), 376(3), 385, 504/34, 506/34 I.P.C, Section 6 of the POCSO Act and Section 3(1)(r), 3(1)(s) & 3(1)(w)(i) of the SC/ST (Prevention of Atrocities) Act and has been sentenced to undergo rigorous imprisonment for 22 years alongwith a fine of Rs. 25,000/- for the offence under Section 376(3) I.P.C.
4. It has been alleged that the minor daughter of the informant had developed friendship with the appellant, consequent to which, physical relationship was established. It has also been alleged that the appellant had made obscene videos and photographs

and on the pretext of making the same viral had continued to establish physical relationship with her.

5. Further allegation is that the son of the informant was assaulted by the appellant and his elder brother and he was abused in the name of his caste.

6. Submission has been advanced by the learned Sr. Counsel for the appellant that the appellant is in custody since 04.06.2023.

7. It has further been submitted that as per the medical evidence the age of the victim was assessed to be 15-17 years.

8. Learned Sr. Counsel submits that the evidence of the victim, who has been examined as P.W. 5, clearly reveals that there was a love affair between the victim and the appellant. The appellant at the time of the incident was about 18 years of age and there was an adolescence love between the appellant and P.W. 5, as a result of which, sexual relationship might have been established.

9. Learned Sr. Counsel has also copiously referred to the evidence of the investigating officer who has been examined as P.W. 8 and who has to the certain extent demolished the case of the prosecution. It has also been submitted that there is already a delay of one year in instituting the First Information Report. No explanation has been furnished by the prosecution regarding the delay caused in instituting the F.I.R.

10. Mr. Tripathi has submitted that the investigating officer had failed to collect any of the obscene videos or photograph which further demolishes the assertion made by the informant as well as P.W. 5

regarding the appellant preparing such videos and photographs.

11. Learned A.P.P. has opposed the prayer for bail of the appellant and has submitted that the appellant on the pretext of making the obscene videos and photos viral had continued to sexually exploit the victim for a considerable length of time.

12. It appears that the evidence of P.W. 5 reveals a semblance of a love affair between the appellant and P.W. 5 as she had stated that she was knowing the appellant for long and she was having conversations with the appellant while going to the school.

13. Admittedly, no obscene photographs or videos were collected by the investigating officer and considering the age of the appellant at the time of the incident and that of the victim as well as the surrounding circumstances including the evidence of the victim as well as the father of the victim the same support the submission of the learned Sr. Counsel for the appellant that there was an adolescence love between the appellant and the victim.

14. From a perusal of the evidence of P.W. 5, there also appears to be several improvements made in her evidence.

15. On consideration of the entire facts and circumstances of the case, we are inclined to admit the appellant on bail. Accordingly, during the pendency of the appeal, the appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-I cum Special Judge, Bokaro in connection with

SC/ST Case No. 15 of 2023 arising out of Sector-VI
(SC/ST) P.S. Case No. 24 of 2023.

16. I.A. No.8162 of 2026 stands allowed.

(Rongon Mukhopadhyay, J.)

(Arun Kumar Rai, J.)

30th June, 2026
R.K/Rajnish