

THE HIGH COURT OF JHARKHAND AT RANCHI

Criminal Appeal (DB) No. 1076 of 2024

Sanjay Pandit ... Appellant

Versus

State of Jharkhand ... Respondent

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

HON'BLE MR. JUSTICE AMBUJ NATH

For the Appellant : Mr. Prashant Kr. Roy, Advocate

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

Order No. 04

Dated 10th July, 2025

I.A. No. 5965 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 offence punishable u/s 4(1) of the POCSO Act and has been sentenced to undergo rigorous imprisonment for 15 years along with a fine of Rs. 20,000/-.

It has been alleged that the informant was enticed away by the appellant on the pretext of marriage and physical relationship was also established by him.

Submission has been advanced by the learned counsel for the appellant that the medical report though has come to a conclusion that the age of the victim is between 15-17 years, but in the cross examination it has been stated that from the physical appearance, the victim appears to be a major. Learned counsel further submits that the appellant has been implicated primarily on account of his refusal to solemnize marriage in the Panchayat which fact has been stated by several of the witnesses. Learned counsel adds that the appellant was all along on bail during trial.

Learned A.P.P. has opposed the prayer for bail of the appellant and has referred to the 164 Cr.P.C. statement of the victim.

The evidence of the victim who has been examined as PW-5 categorically reveals that there was a love affair between the victim and the appellant and refusal on the part of the appellant in solemnizing marriage with the victim resulted in institution of the case.

On consideration of the aforesaid facts, we are inclined to admit the appellant on bail. Accordingly, during pendency of this appeal, the appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned trial court [Special Judge, POCSO, Deoghar] in connection with Special POCSO Case No. 15 of 2019.

This I.A. stands allowed and disposed of.

(RONGON MUKHOPADHYAY, J.)

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(AMBUJ NATH, J.)