

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A No. 10541 of 2025

Dashrath Karowa, aged about 23 years, S/o. Late Ram Karowa,
Resident of Village & Post- Barkundia, Bara Jaipur, P.S.- Chaibasa
Muffasil, District West Singhbhum (Jharkhand)

..... Petitioner

Versus

The State of Jharkhand

..... Opp. Party

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Anjani Kumar, Advocate
For the State : Mr. Rajesh Kumar, A.P.P.

03/Dated:17th February, 2026

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The present bail application has been filed on behalf of petitioner, who is in custody in connection with Chaibasa Muffasil P.S. Case No. 58 of 2025 corresponding to Spl. POCSO Case No. 14 of 2025, for the offences registered under Sections 64(2)(m) & 65(2) of the B.N.S., 2023 and Section 6 of the POCSO Act and thereafter charge has been framed under Sections 65(2) & 64(2)(m) of the B.N.S., 2023 and Sections 6 r/w Section 5(1), 5(m) & 5(j)(ii) of the POCSO Act, pending in the Court of learned Addl. Sessions Judge-II-cum-Spl. Judge, POCSO Act Cases, West Singhbhum at Chaibasa.
3. As per F.I.R. lodged by mother of the victim girl, aged

about 12 years, the victim girl was subjected to rape by co-accused Suresh Karwa since year 2024 and due to which, the victim girl became pregnant. Mother of the victim girl, when came to know about the matter, lodged the F.I.R. on 04.04.2025.

4. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case and has committed no offence. The petitioner is not named in the F.I.R. rather one co-accused Suresh Karwa has committed rape upon the victim girl, aged about 12 years. It is further submitted that victim girl during her statement recorded under Section 180 of the B.N.S.S., 2023, has not taken the name of the petitioner and even on first counseling dated 05.04.2025, she had not taken the name of the petitioner but during the re-counseling dated 11.04.2025, the name of the petitioner has transpired for committing rape upon her twice. It is further submitted that the victim girl has improved her statement in her re-counseling and has taken name of this petitioner due to village politics. The petitioner is in custody since 26.04.2025. Hence, the petitioner may be enlarged on bail.

5. On the other hand, learned A.P.P. has opposed the aforesaid prayer and has submitted that although the petitioner is not named in the F.I.R. but during the investigation, name of the

petitioner has transpired in this case on 11.04.2025 in the re-counseling of the victim girl. It is further submitted that the petitioner has committed rape upon the victim girl twice and hence, the prayer for bail of the petitioner may be rejected.

6. Perused the F.I.R., case diary as well as initial counseling dated 05.04.2025 and re-counseling dated 11.04.2025 and considered the submissions of both sides.

7. It appears that informant had lodged the F.I.R. against co-accused Suresh Karwa for committing rape upon her minor daughter aged about 12 years since 24.08.2024 due to which, she became pregnant.

8. It also appears that victim girl during her statement recorded under Section 173 of the B.N.S.S., 2023 in paragraph-4 of the case diary and witness (mother of victim girl) in paragraph-3, witness Punam Bari in paragraph-6, witness Laxmi Puri in paragraph-7 of the case dairy have stated about the name of co-accused.

9. It also appears from perusal of paragraph-26 of the case dairy that date of birth of the victim girl is 14.04.2013 in the Admission Register of school.

10. It further appears that initial counseling was done by the Chaya Balika Grih, Chaibasa and the victim girl has taken the

name of main accused Suresh Karwa for committing rape upon her whenever she went to fetch water from the well the co-accused used to commit rape upon her. However, her re-counseling was done on 11.04.2025 by Chaya Balika Grih, Chaibasa, in which she has taken the name of this petitioner for committing rape upon her twice, first, in the paddy field in the month of December and second time in the garb of putting solar light inside the house.

11. Considering the age of the victim girl and allegation of committing rape upon victim girl twice by the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner stands rejected.

12. Thus, B.A. No. 10541 of 2025 is dismissed.

(Sanjay Prasad, J.)

17 February 2026
Jay-Rahul/-
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