

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. A (D.B.) No. 1149 of 2024

Emanuel Marandi @ Putru, aged about 23 years, Son of Raushan Marandi, resident of village Kodigarh, P.O. & P.S. Shikaripara, District- Dumka (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. Rishav Kumar, Advocate
For the Respondent : Mrs. Shweta Singh, A.P.P.

04/Dated: 16th September, 2025

I.A. No.9014 of 2025

1. Heard Mr. Rishav Kumar, learned counsel for the appellant and Mrs. Shweta Singh, Additional Public Prosecutor appearing for the State.
2. This application has been preferred on behalf of appellant for grant of bail to him during pendency of this appeal.
3. The appellant has been convicted for the offences under Section 376 (AB) of the Indian Penal Code and Section 6 of the POCSO Act and has been sentenced to undergo imprisonment for life along with fine of Rs.25, 000/- for the offence under Section 6 of the POCSO Act.
4. It has been alleged that the appellant who is the neighbor of the informant had taken away her minor daughter on the pretext of giving her chocolate and after sometime her daughter returned crying and disclosed that the appellant had done dirty act with her.
5. Submission has been advanced by the learned counsel for the appellant that the victim who was examined as P.W.3 has developed the case against the appellant. It has further been submitted that the appellant is in custody since 13.08.2021.
6. Learned counsel has also referred to the medical report of the victim wherein no injury or any signs of sexual assault were found on the person of the victim. Learned counsel also adds that at best it can be a

case of sexual assault as defined in Section 7 and punishable under Section 8 of the POCSO Act in which the maximum sentence prescribed is five years rigorous imprisonment.

7. Learned Additional Public Prosecutor has opposed the prayer for bail of the appellant.
8. Regard being had to the evidence of the victim who has been examined as P.W.3 as well as the evidence of her parents and the fact that the victim was aged about 5-6 years, we are not inclined to admit the appellant on bail. His prayer for bail is hereby rejected at this stage.
9. I.A. 9014 of 2025 stands rejected.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Amar/-