

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (D.B.) No.1496 of 2025

Vickey Nishad @ Vickey Kr. Mallah			Appellant
Versus			
The State of Jharkhand			Respondent

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

For the Appellant	: Mrs. Snehlika Bhagat, Adv.
For the State	: Mr. Subodh Kumar Dubey, A.P.P.

06/Dated: 04th August, 2026

I.A. No.8709 of 2026

1. Heard Mrs. Snehlika Bhagat, learned counsel appearing for the appellant and Mr. Subodh Kumar Dubey, learned A.P.P. appearing for the State.
2. This application has been preferred by the appellant for grant of bail during the pendency of this appeal.
3. The appellant has been convicted for the offence under Section 6 of the POCSO Act and has been sentenced to undergo rigorous imprisonment for 20 years along with a fine of rupees Ten Thousand with default clause.
4. It has been alleged that whenever the daughter of the informant lived alone in the house the appellant used to frequently go to the house and establish physical relationship with her. On account of the threatening given by the appellant the daughter of the informant had not disclosed about the said incident to the informant. It has further been alleged that a few months back the daughter of the informant was found pregnant and on account of the social stigma she had not filed any case but later on, she has filed a case after a considerable delay.
5. Mrs. Snehlika Bhagat, learned counsel for the appellant has submitted that there is an inordinate delay in the institution of the First Information Report as despite the informant coming to know of the fact that her daughter was carrying a pregnancy of five months, she kept mum and only when the daughter of the informant delivered the child, the First Information Report was instituted on 05.11.2024. Learned counsel has copious by refereed to the evidence of the victim who has been examined as P.W.-1 and has submitted that despite P.W.-1 knowing about the fact that the appellant was a married person she had acceded to the sexual overtures of the appellant on repeated basis. Learned counsel submits that

the medical examination report has assessed the age of the victim as about 17 – 18 years. It has been submitted that the appellant has remained in custody for one year and eight months. It has further been submitted that no case under Section 6 of the POCSO Act against the appellant is made out.

6. Learned A.P.P. appearing for the State has opposed the prayer for bail of the appellant.

7. The evidence of P.W.-1, the victim, does suggest that she had continued to establish sexual intimacy with the appellant despite knowing the fact that the appellant was a married person and the informant even on coming to know about the pregnancy of the victim, had kept mum. In fact, the delay in institution of the First Information Report does not appear to have been substantially explained.

8. On consideration of the aforesaid facts, we are inclined to admit the appellant on bail. During the pendency of this 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 Special Judge, POCSO Act, Dhanbad in Spl (POCSO) Case No.09 of 2025 arising out of Tirsa Lodna P.S. Case No.98 of 2024.

I.A. No.8709 of 2026 stands allowed and disposed of.

(RONGON MUKHOPADHYAY, J.)

(ARUN KUMAR RAI, J.)

Dated: 04th August, 2026

Amar/-

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