

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No. 1250 of 2025

Bal Gobind Singh @ Gobind Singh --- Appellant
Versus
State of Jharkhand. --- --- Respondent

CORAM: **Hon'ble Mr. Justice Rongon Mukhopadhyay**
 Hon'ble Mr. Justice Gautam Kumar Choudhary

For the Appellant : Mr. Sahil, Advocate
For the State : A.P.P

I.A. No.12433 of 2025

03/24.11.2025 Heard Mr. Sahil, learned counsel for the appellant and learned
A.P.P.

This application has been preferred by the appellant for grant of
bail to him during pendency of the appeal.

The appellant has been convicted for the offences under Sections
354, 354B, 376-AB/511 of IPC, Section 6 read with Section 5(m)/18, Section
8, Section 10 read with Section 9(m) of the POCSO Act and the maximum
sentence imposed upon him is rigorous imprisonment for 10 years along with
a fine of Rs.10,000/- for the offence under Section 6 of the POCSO Act.

It has been submitted by the learned counsel for the appellant
that Section 5(m) of the POCSO Act will not be applicable so far as the
present case is concerned. Learned counsel submits that at best it can be a
case made out under Section 7 of the POCSO Act which imposes a sentence
of minimum 3 years extendable to 5 years. Learned counsel has further
referred to the 313 Cr.P.C. statements of the appellant while submitting that
since a construction was being made by the victim's family on the land of the
appellant, he has falsely been implicated. It has been submitted that the
appellant is in custody for about one year and 8 months.

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

The allegations reveal that the appellant being the uncle of the
victim who is aged about 8 years, had taken the victim to the washroom and
had made an indecent act.

From the allegations as well as the evidence of victim who has been examined as P.W.1, it prima-facie appears to be a case punishable under Section 7 of the POCSO Act.

On consideration of the aforesaid, apart from the period of custody undergone by the appellant, we are inclined to admit the appellant on bail. Accordingly, the appellant above named is directed to be released on bail during pendency of the appeal on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge (POCSO Act), Koderma in connection with Special POCSO Case No.09 of 2024.

I.A. No. 12433 of 2025 stands allowed and disposed of.

(Rongon Mukhopadhyay, J.)

(Gautam Kumar Choudhary, J.)

Shamim/