

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J) No. 817 of 2025

Kadon Muda @ Kandon Munda, Aged about 17 Years, S/o Karam Singh Munda, R/O Village- Tubid, PO-Ulihatu, PS- Arki, District-Khunti Juvenile is represented through his father
 Karam Singh Munda, aged about 36 years, S/O Late Soma Munda, R/O Village- Tubid, PO- Ulihatu, PS- Arki, District-Khunti
.....Appellant

Versus

1. The State of Jharkhand
2. Gopac Munda, aged about 24 years, S/o Budu Munda, R/o Village- Gitilbeda, Tola- Sidma, PS- Arki, District-Khunti
.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. Sunil Kumar Ganjhu, Advocate
 For the State : Mr. Sunil Kumar Dubey, A. P. P.
 For the Resp. No. 2 : None.

ORAL ORDER IN COURT

05/19.02.2026 This Criminal Appeal has been filed on behalf of the appellant under Section 101 (5) of the Juvenile Justice (Care and Protection of Children) Act, 2015 challenging the order dated 01.08.2025 passed by Sri Rakesh Kumar Mishra, learned Additional Sessions Judge-I, Khunti in M. C. A. No. 319 of 2025 whereby learned Additional Sessions Judge-I, Khunti has rejected the prayer for bail of the appellant in connection with Arki P. S. Case No. 23 of 2025 corresponding to Children Case No. 04 of 2025 instituted for the offences under Section 65(1) of the Indian Penal Code and Section 4 of the POCSO Act.

2. As per the FIR, the appellant has abducted the victim girl aged around 14 years on 18.03.2025 and had committed rape upon her and left her at Ulihatu Siman Jungle.

3. Heard learned counsel for the appellant and learned counsel for the State. However, despite valid service of notice upon the respondent no. 2, none has appeared on behalf of the Informant.

4. It is submitted by the learned counsel for the appellant that the appellant is innocent and has not committed any offence and has been falsely implicated in this case. It is submitted that no sign of rape was found upon the victim girl. It is submitted that there is delay of seven (7) days in lodging the FIR as the occurrence had taken place on 18.03.2025, however, the FIR was lodged on 25.03.2025 and for which there is no cogent explanation. It is submitted that the appellant is the student of Class-X. It is further submitted that the appellant is in custody since 26.03.2025 i.e. for around eleven (11) months and as such, he may be enlarged on bail.

5. On the other hand, learned counsel for the State has opposed the prayer for bail and has submitted that there is direct allegation against the appellant for kidnapping the victim girl and for committing rape upon her and hence the prayer for bail of the appellant may be rejected.

6. Case diary has not been received by the State despite passing the order dated 16.10.2025 passed by this Court. However, LCR has been received in light of the order dated 16.10.2025 passed by this Court including the statement of the victim girl recorded under Section 183 of the BNSS.

7. From perusal of the FIR, it appears that there is direct allegation against the appellant for abducting and committing rape upon the minor victim girl. However, though there is delay in lodging the FIR, however, the statement of the victim girl was

recorded under Section 183 of BNSS on 27.03.2025 and in which she has fully supported her case and stated that the appellant – Kadon Muda @ Kandon Munda has committed rape upon her.

8. It appears that the victim girl was examined on 28.03.2025 i.e. after the delay of approx. ten (10) days and hence, there may not be sign of rape.

9. It appears from the statement of the Informant at page-3 of the case diary and the statement of the father of the victim girl at page-4 of the case and the statement of one friend of the victim girl aged around thirteen (13) years [name not disclosed] have supported the prosecution case.

10. In view of the facts and circumstances of the case, this Court is not inclined to release the appellant Kadon Muda @ Kandon Munda on bail and as such, the prayer for bail of the appellant is rejected.

However, learned Trial Court is directed to conclude the trial as early as possible, preferably within a period of nine (9) months from the date of receipt of a copy of this order.

11. Accordingly, the order dated 01.08.2025 passed by Sri Rakesh Kumar Mishra, learned Additional Sessions Judge-I, Khunti in M. C. A. No. 319 of 2025 in connection with Arki P. S. Case No. 23 of 2025 corresponding to Children Case No. 04 of 2025 is upheld.

12. Thus, the Criminal Appeal (SJ) No. 817 of 2025 is, hereby, dismissed.

13. However, Deputy Commissioner, Khunti and Superintendent of Police, Khunti are directed to pay a compensation of Rs. 2,00,000/- (Rupees Two Lakh), for the present, to the victim girl in co-ordination with learned Principal District and Sessions

Judge, Khunti and the Secretary, DLSA, Khunti.

14. Let a copy of this order be sent to the learned Principal District and Sessions Judge, Khunti, the Deputy Commissioner, Khunti and Superintendent of Police, Khunti and also to the learned Member Secretary, JHALSA and learned Secretary, DLSA, Khunti for the needful and also to the learned Court below.

(Sanjay Prasad, J.)

Dated: 19.02.2026
Kamlesh/