

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 993 of 2026

Shibur Sirka, aged about 40 years, S/o Late Ranjan Sirka
... .. **Petitioner**
Versus
The State of Jharkhand **Opp. Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Anjani Kumar, Advocate
For the Opp. Party : Mr. Praful Jojo, APP

03/09.04.2026 Heard the learned counsel appearing on behalf of the parties.

2. Learned counsel for the petitioner submits that the petitioner is in custody since 11.06.2025 in connection with S.T. Case No. 204 of 2025, arising out of Jhinkpani P.S. Case No. 24 of 2012, corresponding to G.R. No. 387 of 2012, for the offences registered under Section 376 of the IPC and thereafter charge has been framed under Section 376(1) and 506 of IPC and the case is pending in the court of learned Additional Sessions Judge-II-cum-Special Judge POCSO Act Cases, West Singhbhum at Chaibasa.

3. Learned counsel for the petitioner submits that FIR is of the year 2012 and since the petitioner was working outside. When he came back home to deal with his land, he was taken into custody. The petitioner is in custody since 11.06.2025 and charge has been framed on 05.08.2025 but witnesses are not appearing.

4. Learned counsel for the opposite party-State has opposed the prayer and has submitted that petitioner was an absconder and he was arrested on the basis of permanent warrant of arrest. He has also submitted that the State has to take extra effort to produce the witnesses in connection with the offence alleged to have been committed in the year 2012 which may be a reason for non-production of witnesses. However, the fact remains that the petitioner cannot be detained in custody without any progress in the trial.

5. After hearing the learned counsel for the parties and considering the fact that the petitioner has been absconder and there is direct allegation against the petitioner, this court is not inclined to

enlarge the petitioner on bail. Accordingly, prayer for bail of the petitioner above named is rejected.

6. However, the State is directed to take all efforts to produce the witnesses wherever they are so that the trial be concluded.

7. Learned counsel for the State is directed to communicate this order to the Director Prosecution and to the Superintendent of Police of the concerned District to ensure compliance.

8. Let this order be communicated to the court concerned through FAX.

(Anubha Rawat Choudhary, J.)

Dated: 09.04.2026

Uploaded on: 10.04.2026

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