IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 5356 of 2026

Dharmendra Prajapati, Son of Vijay Prajapati
… … Petitioner

Versus

The State of Jharkhand **… … Opposite Party**

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Manoj Kr. (No.2), Advocate
For the Opp. Party : Mr. Tarun Kumar, APP

05/**22.07.2026** Heard the learned counsels appearing on behalf of the parties.

2. Learned counsel for the petitioner submits that the petitioner is in custody since 07.04.2026 in connection with Garhwa P.S. Case No. 239 of 2026, registered under Sections 292, 223, 318(4), 336(3), 340(2), 238, 61(2) and 338 of Bharatiya Nyaya Sanhita, 2023, sections 3, 4 and 7 of Immoral Act, Section 4, 6, 17 and 21 of POCSO Act and section 3(2)(v) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, now pending in the court of learned Special Judge, POCSO Act cum Addl. Sessions Judge-I-cum-FTC (CAW), Garhwa.

3. Learned counsel for the petitioner further submits that the petitioner has been falsely implicated in this case and though it is alleged that the petitioner was caught with a girl aged 17 years, but she was major as per her Aadhar card. He submits that the victim has stated that she had love affair with the petitioner and therefore, she had voluntarily gone to the hotel to meet the petitioner.

4. Learned counsel for the petitioner has also submitted that as per the statement of the victim recorded in the case-diary itself, she had voluntarily made relationship with the petitioner and had love affair with him. The victim has also stated that she had herself gone to the hotel to meet the petitioner and stayed in the hotel for five hours together.

5. Learned counsel for the opposite party- State, on the other hand, has opposed the prayer for bail and has submitted that the victim was

minor aged 17 years and her date of birth is 09.05.2008.

6. After hearing the learned counsels for the parties and considering the statement of the victim aged 17 years recorded under section 180 of Bharatiya Nagarik Suraksha Sanhita, 2023 coupled with the fact that the age of the petitioner is 25 years and there appears to be an element of love affair and considering the custody of the petitioner since 07.04.2026 and charge-sheet having already been submitted, the petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty-five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO Act cum Addl. Sessions Judge-I-cum-FTC (CAW), Garhwa in connection with Garhwa P.S. Case No. 239 of 2026, on the following conditions:

(i) One of the bailors would be the present *pairvikar* of the petitioner.

(ii) The other bailor should be his close relative.

(iii) The petitioner will attend the court on each and every date and on account of even single default, the learned court shall cancel the bail bond furnished by the petitioner.

(iv) The petitioner will deposit a self-attested copy of his Aadhar Card along with his mobile number before the learned court which he will not change during the pendency of the case without prior permission of the court.

(v) The petitioner shall fully co-operate with the proceedings before the learned trial court.

7. The instant application is allowed with the aforesaid conditions.

8. Let this order along with a copy of the affidavit filed with the bail petition be communicated to the court concerned through FAX/e-mail.

(Anubha Rawat Choudhary, J.)

Date of Order:22.07.2026
Pankaj
Date of Uploading:24.07.2026