IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 7072 of 2026

Raj Kishor Baraik, aged about 22 years, Son of Laxman Baraik, Resident of Village-Bhotka Toli, P.O. & P.S.-Kersai, District-Simdega, Jharkhand. **… … Petitioner**

Versus

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

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Shantanu Singh, Advocate
: Mr. Deepak Kumar, Advocate
For the State : Mr. Gautam Rakesh, APP
For the Victim : Mr. Vikash Kumar, Advocate

03/**25.08.2026** Heard the learned counsels appearing on behalf of the parties.

2. Learned counsel for the petitioner submits that the petitioner is in custody in connection with Anandpur P.S. Case No. 09 of 2026, registered under Sections 376(1), 323, 506 and 313 of the Indian Penal Code and under section 04/06 of the POCSO Act, 2012, now pending in the court of learned A.D.J.-II at West Singhbhum, Chaibasa.

3. Learned counsel for the petitioner further submits that the petitioner is in custody since 17.04.2026 and charge has been framed on 23.07.2026. He submits that the victim has already been examined before the learned court as P.W. 1 on 06.08.2026. A copy of the deposition has been produced before this court.

4. The learned counsel for the petitioner also submits that as per the allegation, the initial incident relates back to the year 2019, and it is alleged that the petitioner and the victim had solemnized marriage in private, but the petitioner is not recognizing the victim as his wife, as no social marriage has been performed and has been assaulting the victim.

5. The learned counsel for the victim has opposed the prayer for bail and has submitted that the petitioner may not be enlarged on bail considering the allegation made in the First Information Report. He has submitted that on the date of initial incident the victim was minor

and therefore, the charge has also been framed under POCSO Act.

6. Learned counsel for the State has also opposed the prayer for bail.

7. After hearing the learned counsels for the parties and on perusal of the FIR, it appears that the victim herself stated that some love relationship developed between the petitioner and the victim and thereafter the entire incident had happened. The fact also remains that the victim has already been examined before the learned court and there is no likelihood of tampering of any evidence so far as the victim is concerned. Accordingly, 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 A.D.J.-II at West Singhbhum, Chaibasa in connection with Anandpur P.S. Case No. 09 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.

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

9. 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:25.08.2026
Pankaj
Date of Uploading:25.08.2026