IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 8047 of 2026

Shashank Pandey @ Shashank Shekhar Pandey, aged about 25 Years, son of Ashok Kumar Pandey, Resident of village Bishunpur, P.O. Bishunpur, P.S. Latehar, District- Latehar Jharkhand. **… … Petitioner**

Versus

The State of Jharkhand **… … Opp. Party**

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Prashant Kumar Rahul, Advocate
For the Opp. Party : Mr. Abhay Kumar Tiwari, Advocate

02/29th August 2026

1. Learned counsel for the petitioner submits that the petitioner is in connection with Latehar P.S. Case No. 194 of 2024, for the offences registered under Section 65(1) of the B.N.S. and Section 4 of the POCSO Act, pending in the Court of learned Special Judge, POCSO, Latehar in Spl. POCSO Case NO. 19/2025.

2. Learned counsel for the petitioner submits that there was love affair between the petitioner and the victim and the age of the victim as per Annexure-3 shows that she was major on the alleged date of occurrence. However, charge has been framed under Section 65(1) of BNS and Section 4(2) of POCSO Act. The trial is going on and out of thirteen charge-sheet witnesses, five have already been examined including the victim, who has not fully supported the prosecution case, but she has not been turned hostile.

3. Learned counsel for the State has opposed the prayer for bail and has submitted that the victim has supported the prosecution case and at this stage, there is no scope of scrutinizing the evidence.

4. The records reveal that the bail application of the petitioner was rejected earlier on merits in B.A. No. 7990/2025 vide order dated 17.09.2025, but this fact has not been disclosed by the learned counsel for the petitioner during the course of hearing. However, a copy of the order

passed in B.A. No. 7990/2025 has been annexed along with the bail application.

5. After hearing the learned counsel for the parties and considering the fact that the bail application of the petitioner was rejected earlier on merits and that the trial is going on, this Court is not inclined to enlarge the petitioner on bail. Hence, this bail application is hereby ***rejected***.

6. The fact remains that there is an allegation that the petitioner had raped the minor daughter of the informant.

7. However, considering the fact that the petitioner is in custody since 02.04.2025, the State is directed to ensure prompt production of the witnesses before the learned court. If any FSL report is awaited, the same be also produced before the learned court for expeditious trial.

8. Learned counsel for the State is directed to communicate a copy of this order to the Director, Prosecution as well as Superintendent of Police of the concerned district to ensure compliance.

9. Let a copy of this order be communicated to the court concerned through ‘e-mail/FAX’.

(Anubha Rawat Choudhary, J.)

Dated: 29.08.2026
Uploaded On: 29.08.2026
Mukul/-