IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 2862 of 2026

Kamlesh Kumar @ Kamlesh Choudhary, son of Maldev Chaudhary
… … Petitioner

Versus

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

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Anurag Kashyap, Advocate
For the Opp. Party : Mr. Praful Jojo, APP

03/**30.04.2026** Heard the learned counsels appearing on behalf of the parties.

2. Learned counsel for the petitioner submits that the petitioner is in custody since 20.01.2026 in connection with Ramna P.S. Case No. 09 of 2026, registered under Sections 137(2), 87 and 64 of Bharatiya Nyaya Sanhita, 2023 and sections 4 and 6 of POCSO Act, now pending in the court of learned Special Judge, POCSO Court, Garhwa.

3. Learned counsel for the petitioner further submits that there was love affair between the petitioner and the victim and the victim was having love affair for the last one year prior to institution of the First Information Report. The FIR was lodged on 20.01.2026. He has submitted that the petitioner is in custody since 20.01.2026 and charge-sheet has been submitted.

4. Learned counsel for the opposite party- State, on the other hand, has opposed the prayer and has submitted that the petitioner, as per the bail application itself, is 24 years of age and the date of birth of the victim is 01.01.2010. He submits that as per the First Information Report, there was forceful sexual intercourse. The victim was taken away from lawful guardianship of her parents.

5. After hearing the learned counsels for the parties and after going through the statement of the victim recorded under section 183 of Bharatiya Nagarik Suraksha Sanhita wherein she has alleged that the petitioner forcefully established physical relationship with her in spite of the fact that she was insisting that she would study and that physical relationship could be established only after marriage, this

Court is not inclined to enlarge the petitioner on bail and hence, this bail application is rejected.

6. However, the State is directed to ensure that the witnesses are promptly produced before the learned court.

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

8. Let a copy of this order be communicated to the learned court concerned through “FAX/email”.

(Anubha Rawat Choudhary, J.)

Date of Order:30.04.2026
Pankaj
Date of Uploading:04.05.2026