Neutral Citation No. (2026:JHHC:27612-DB)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (D.B.) No. 1043 of 2026

Baby Devi wife of Ashique Gope, R/o Tutikinawadih, Tutki, PO & PS Silli, District Ranchi-835102 … … Appellant
Versus
The State of Jharkhand … … Respondent

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
: HON'BLE MR. JUSTICE ARUN KUMAR RAI

For the Appellant : Mr. Manoj Kumar, Advocate
For the Respondent : A.P.P.

3/14.09.2026 Heard Mr. Manoj Kumar, learned counsel appearing for the appellant and the learned A.P.P. appearing for the State.

2. This appeal is directed against the order dated 23.06.2026 passed by the learned Additional Judicial Commissioner IV-cum-Special Judge, POCSO Act, Ranchi in connection with MCA No. 1382 of 2026 arising out of Dhurwa P. S. Case No. 8 of 2026 corresponding to S. T. No. 348 of 2026 whereby and whereunder the prayer for bail of the appellant has been rejected.

3. It has been alleged that an information was received by the informant from the Technical Branch as well as from the Investigating Officer of Dhurwa P. S. Case No. 1 of 2026 that 4 persons were travelling to Latehar from Ranchi in a vehicle and some children for the purposes of trafficking were also with them. On this information, the vehicle was intercepted by the police at Sithio and the accused persons have disclosed that the children are at Kothar in Ramgarh and Balumath in Latehar. Two separate teams were constituted and raids were conducted after which 52 children were recovered.

Based on the aforesaid allegations, Dhurwa (Hatia) P. S. Case No. 8 of 2026 was instituted against the appellant and others.

4. It has been submitted by Mr. Manoj Kumar, learned counsel for the appellant that the appellant is not named in the FIR and has been implicated on the basis of the confession of co-accused. He has further submitted that the appellant does not have any criminal antecedent and is in custody since 18.01.2026 and the charge-sheet has already been submitted by the police.

5. Learned A.P.P. for the State has opposed the prayer for bail of the appellant and has submitted that the appellant is the wife of one of the main accused namely, Ashique Gope and her role has also been defined in course of investigation. It has also been submitted that the prayer for bail of some of the co-accused persons have already been rejected by this court.

6. It seems that Ashique Gope was apprehended from inside a vehicle and on a raid conducted in his house, several children meant to be plunged into the world of stealing, begging and prostitution were recovered. The appellant is the wife of Ashique Gope and there is no direct material available in the case diary showing that the appellant was also involved in such nefarious activities in tandem with her husband. The appellant appears to have been suspected to be a member of the gang only on account of she being the wife of Ashique Gope. The appellant is in custody for about 8 months and charge-sheet has already been submitted by the police.

7. Regard being had to the aforesaid facts, we while setting aside the order dated 23.06.2026 passed by the learned Additional Judicial Commissioner IV-cum-Special Judge, POCSO Act, Ranchi in connection with MCA No. 1382 of 2026, direct that the appellant above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned Additional Judicial Commissioner IV-cum-Special Judge, POCSO Act, Ranchi in connection with S. T. No. 348 of 2026 arising out of Dhurwa P. S. Case No. 8 of 2026, subject to the condition that the appellant shall remain physically present before the trial court on each and every date till the conclusion of the trial, unless prevented by sufficient cause.

8. This appeal is allowed.

(Rongon Mukhopadhyay, J.)

(Arun Kumari Rai, J.)