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

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (D.B.) No. 945 of 2026

Soniya Devi W/o Upayan Kherwar, R/o Village Bariyatu, PO, PS & District Latehar … … 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. Jitesh Kumar, Advocate
For the Respondent : A.P.P.

4/14.09.2026 Heard Mr. Jitesh 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. 1383 of 2026 arising out of Dhurwa (Hatia) 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. Jitesh Kumar, learned counsel for the appellant that the appellant has been implicated on the confession of co-accused namely, Raj Rawani. It has been submitted that some of the children recovered are the children of the appellant as the DNA sample of the appellant has matched with the DNA of some children. He has further submitted that the appellant is in custody since 18.01.2026 and she does not have any criminal antecedent. It has also been submitted that the charge has been framed, but no witness has been examined as yet.

5. Learned A.P.P. for the State has opposed the prayer for bail of the appellant and has submitted that the appellant was also one of the persons having nexus with the gang which involved itself in human trafficking. The prayers for bail of the co-accused persons namely, Pramod Kherwar and Raj Rawani have already been rejected by this court in Cr. Appeal (DB) Nos. 698 of 2026 and 837 of 2026.

6. It appears that the king-pin of the gang involved in such nefarious activities is Nav Kherwar and several of the accused persons who were apprehended from the vehicle and on their confessions, a large number of children meant to be trafficked were recovered. These accused persons were ascertained to be directly involved in stealing of children for the purposes of prostitution and involving them in begging and stealing. The appellant has been implicated on the basis of suspicion and her case cannot be equated with the case of Pramod Kherwar and Raj Rawani, whose prayers for bail have already been rejected by this court. Moreover, the appellant is in custody for about 8 months and she does not have any criminal antecedent as depicted in paragraph 137 of the case diary.

7. On consideration of 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. 1383 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 (Hatia) 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.)

14 September 2026
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