IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No. 986 of 2026

Anthony Kherwar, aged about 70 years, S/o Late Ramchandra Kherwar, Resident of village- Raharbari, P.O.- Kaitha, P.S. Kothar, District- Ramgarh, Jharkhand ... ... **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. Soumitra Baroi, Advocate
For the Res.-State :Mr. Shailesh Kr. Sinha, A.P.P.

03/16.09.2026 Heard Mr. Soumitra Baroi, learned counsel for the appellant and learned A.P.P. for the State.

This appeal is directed against the order dated 30.06.2026 passed by the learned Additional Judicial Commissioner-IV- cum Special Judge, POCSO Act, Ranchi in M.C.A No. 1423/2026 in connection with Sessions Trial No. 348/2026 arising out of Dhurwa (Hatia) P.S. Case No. 08 of 2026, whereby and whereunder, the prayer for regular bail of the appellant has been rejected.

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.

It has been submitted by the learned counsel for the appellant that the appellant was not apprehended from the vehicle and, in fact, none of the children were rescued from the house of the appellant. Learned counsel submits that the appellant is in custody since 18.01.2026 and the appellant does not have any criminal antecedent. It has been submitted that the charge sheet has already been submitted by the police and, in similar circumstances, one of the co-accused, Sanyasi Kumar @ Sanyasi Kherwar @ Sanyasi Kharwar, has been granted bail by this Court in Cr. Appeal (DB) No. 970 of 2026.

Learned A.P.P. has opposed the prayer for bail of the appellant and, on perusal of the case diary, has stated that this appellant was arrested in Kothar, from where several children were rescued.

Regard being had to the fact that it does not appear that there were any children who have been rescued from the house of the appellant and the appellant was also not the person who was in the vehicle and who were primarily involved in trafficking of the children, we while setting aside the order dated 30.06.2026 passed by the learned Additional Judicial Commissioner-IV- cum Special Judge, POCSO Act, Ranchi in M.C.A No. 1423/2026, direct that the appellant be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each, to the satisfaction of learned Additional Judicial Commissioner-IV- cum

Special Judge, POCSO Act, Ranchi in connection with Sessions Trial No. 348/2026 arising out of Dhurwa (Hatia) P.S. Case No. 08 of 2026, *subject to the condition that appellant shall remain physically present before the learned trial court on each and every date till the conclusion of the trial.*

This appeal stands allowed.

(Rongon Mukhopadhyay, J.)

(Arun Kumar Rai, J.)

16.09.2026
Umesh-Abhishek/-