**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**Cr. Appeal (S.J.) No. 798 of 2026**
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XXX .... .... …. Appellant

Versus

1. The State of Jharkhand
2. Victim .... .... .... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR**

For the Appellant : Mr. Anshuman Kumar, Adv.
Mr. Prakash Kr. Sinha, Adv.
Mr. Priyanshu Nilesh, Adv.
For the State : Mr. Pankaj Kumar, P.P.
For the Resp. No.2 : Mr. Yogesh Modi, Adv.
Ms. K. Kumari, Adv.

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**Order No.04 Dated : 29.10.2026**.

Heard learned counsel for the appellant, learned APP for the State and learned counsel for the victim.

2. The present appeal has been filed against the order dated 04.05.2026 passed by learned Additional Sessions Judge-I-cum-Special Judge, Giridih in Misc. Criminal Application No.533 of 2026 arising out of Children Case No.03 of 2026, corresponding to Gandey P.S. Case No.61 of 2025 registered for the offence under Sections 64(1), 351(3) of the BNS, 2023 and Sections 4/6 of the POCSO Act by which prayer for bail of the appellant has been rejected. The case is pending before the Court of learned Special Judge, Children Court, Giridih.

3. The juvenile in conflict with law, is in custody since 27.11.2025, has approached this Court for release through his father who is ready and willing to keep his child under his custody with proper care. It appears that the juvenile is accused of committing rape. From the report submitted by learned Court below, it appears that out of 06 charge sheeted witnesses, 03 witnesses have already been examined.

4. It has been submitted by the learned counsel for the appellant that both the parties were the classmate and no force has been applied, on the above basis, prayer for bail has been made.

5. On the other hand, learned counsel for the State and respondent No. 2 have opposed the prayer of the appellant. It has been submitted by the learned counsel for the victim that the girl below the age of 15 years has

been exploited.

7. Considering the social investigation report submitted by the learned Court below, the appellant is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Children Court, Giridih arising out of Children Case No.03 of 2026, corresponding to Gandey P.S. Case No.61 of 2025, subject to the condition that one of the bailors must be the father of the appellant.

8. Accordingly, instant criminal appeal is allowed and disposed of.

(**Rajesh Kumar, J.**)

29.10.2026
Pawan/
Uploaded on 30.10.2026