IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 11822 of 2025

Roshan Kumar @ Roushan Kumar son of Hari Shankar Ram
… … Petitioner

Versus

The State of Jharkhand **… … Opp. Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. A.K. Chaturvedi, Advocate
For the Opp. Party : Mr. Shailedra Kumar Tiwari, Spl. PP.
For the Informant : Mr. Satish Kumar Keshri, Advocate

11/**07.05.2026** Heard the learned counsel appearing on behalf of the parties.

2. Counter affidavit filed during the court proceeding is taken on record.

3. Learned counsel for the petitioner submits that the petitioner is in custody in connection with Nagar Untari P.S. Case No. 123 of 2025 for the offences registered under Sections 6/8/10/12 of the POCSO Act and section 67A of the Information Technology Act, pending in the court of learned Special Judge, POCSO Court, at Garhwa.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 27.08.2025 and as per the allegation, the petitioner had come in contact with the victim and they were having lover affair and in the meantime, the petitioner established physical relationship in the house of one Neha Bhabhi. It is further alleged that the petitioner had made video and made the same viral through Facebook. The learned counsel for the petitioner has submitted that no viral video has been recovered during the course of investigation and he has referred to paragraph 35 of the case diary to submit that only two screen shot has been mentioned therein which do not appear to be objectionable photograph. Even in the neighbourhood, nobody was found to have seen the alleged viral post.

5. He has submitted that apparently there was relationship of love affair and charge sheet having already been submitted, the petitioner may be enlarged on bail. The counsel submits that there is no criminal

antecedent against the petitioner. The victim was major, as her date of birth as per her certificate is 8.9.2006.

6. Learned counsel for the opposite party-State has opposed the prayer and has submitted that the victim was minor on the date of the 1st incident and she was 17 years of age. However, during the course of hearing the learned counsel for the opposite party also could not refer to any paragraph of the case diary which could show that the alleged viral video has been recovered. Except photos in the case diary there is no viral video.

7. After hearing the learned counsel for the parties and considering the aforesaid facts and circumstances and the custody of the petitioner since 27.08.2025 and charge sheet having already been submitted, the petitioner above named is directed to be enlarged on bail on his furnishing bail bond of Rs. 25,000/- (Rs. Twenty-five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Court, at Garhwa, in connection with Nagar Untari P.S. Case No. 123 of 2025 on the following conditions:

(i) One of the bailors would be the present *pairvikar* of the petitioner.

(ii) The other bailor should be his close relative.

(iii) The petitioner will attend the court on each and every date and on account of his single default, the learned court shall cancel the bail bond furnished by the petitioner.

(iv) The petitioner will deposit a self-attested copy of his Aadhar Card along with his mobile number before the learned court which he will not change during the pendency of the case without prior permission of the court.

(v) The petitioner shall fully co-operate with the proceedings before the learned court below.

8. Let this order along with a copy of the affidavit filed with the bail petition be communicated to the court concerned through FAX/e-mail.

9. The instant bail application is allowed with the aforesaid conditions.

(Anubha Rawat Choudhary, J.)

Dated: 07.05.2026

Uploaded on 09.05.2026

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