IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 8657 of 2026

Deepak Sahu, aged about 20 years, Son of Krishna Sahu, Resident of Village Gajni, P.O. & P.S. Kairo, District - Lohardaga.

… … Petitioner

Versus

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

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Nilesh Kumar, Advocate
For the State : Mr. Someshwar Roy, Advocate
For the Opp. Party : Mr. Rohit Kumar Singh, Advodate
Mr. Dinesh Kumar, Advocate

04/7th October 2026

1. Learned counsel for the petitioner submits that the petitioner is in custody in connection with Lohardaga Mahila P.S. Case No. 31 of 2025, for the alleged offence registered under Sections 64(2)(m), 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of POCSO Act, pending in the court of learned Additional Sessions Judge-I-cum-Spl. Judge, POCSO Act, Lohardaga.

2. Learned Counsel for the petitioner submits that all the prosecution witnesses have been examined before the learned court and as per the FSL report, the petitioner is not the biological father of the child born to the victim, although the victim alleged that the petitioner is the biological father. The learned counsel has also submitted that once all the prosecution witnesses have already been examined, there is no likelihood of tampering with any evidence.

3. Learned counsel for the informant has opposed the prayer for bail and submitted that the trial is in advance stage. The victim has filed a fresh application before the learned court for taking fresh sample for the purposes of DNA examination of the petitioner and also the child. However, the said application is under consideration and therefore the petitioner may not be enlarged on bail. The defence evidence is going on before the learned court. So far as other submissions made by the learned counsel for the petitioner are concerned, the same are not in dispute.

4. To this, the learned counsel for the petitioner submits that the petitioner is in custody since 04.10.2025 having no criminal antecedent.

5. Learned counsel for the State does not dispute that all the witnesses have been examined from the side of the prosecution.

6. After hearing the learned counsel for the parties and considering the fact that as on date, the DNA report is in favor of the petitioner, the petitioner is in custody since 04.10.2025 and that all the prosecution witnesses including the victim have already been examined before the learned court, the petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty-Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Lohardaga Mahila P.S. Case No. 31 of 2025 in connection with Additional Sessions Judge-I-cum-Spl. Judge, POCSO Act, Lohardaga, subject to 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 personally 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 would deposit a self-attested copy of his Aadhar Card along with his Mobile Number before the learned court below, which he shall 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.

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

8. This order will have no bearing on the pending application seeking fresh D.N.A. test.

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

(Anubha Rawat Choudhary, J.)

Dated: 07.10.2026
Uploaded On: 08.10.2026
Mukul/-