

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (Cr.) (D.B.) (HB) No.582 of 2026

Apurva Vivek

.... **Petitioner(s)**

Versus

The Union of India & Ors.

.... **Respondent(s)**

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE AKHIL KUMAR

For the Petitioner(s)

: Ms. Ujjaini Chatterjee, Advocate
(Through V.C.)

Mr. Ankit Apurva, Adv.

For the Respondent(s)

: Mr. Ashutosh Anand, A.A.G.-III

02/Dated: 01st October, 2026

1. This writ petition is under Article 226 of the Constitution of India seeking therein the following reliefs: -

“a. For a direction upon the respondent authorities to produce Ms. Rina Devi (hereinafter "the detenue") before this Hon'ble Court so as to enable judicial scrutiny of the legality and continuance of her detention.

b. For a direction upon the respondents to forthwith release the detenue, Rina Devi from the Detention Centre/ Holding Centre at Hazaribag immediately and set her at liberty.

c. To show cause upon the respondent authorities as to how and under what authority of law, the respondents have kept Ms. Rina Devi under continued detention even after completion of her sentences of imprisonment.

d. Issue an appropriate order/direction for initiation of an independent investigation against the allegations of sexual abuse and custodial rape of the detenue by Constable one Ranjeet Mahto, during the period of 2020-2022 as alleged by the detenue, in accordance with law.

e. For a direction upon the concerned respondent authorities to pay appropriate compensation to the detenue for the period during which she has been found to have been under arbitrary and unlawful detention in violation of the process of law, in order to rebuild her life and reintegrate herself back to society.”

2. The writ petition has been preferred by a social worker who is dealing with the issue of inmates of the jail.

3. The main thrust of argument as has been advanced by Ms. Ujjaini Chatterjee, learned counsel appeared through Virtual Mode assisted by Mr. Ankit Apurva that in spite of the judgment of acquittal passed in G.R. Case No. 1647 of 2025 corresponding to Lohsinghna P.S. Case No.88 of 2025, the corpus/detainee still is languishing in custody.
4. It has been submitted that not only that she has been subjected to rape by one Ranjeet Mahto to that effect, a complaint has also been made.
5. The detainee was subject to rape continuously for the period of two years by the said Ranjeet Mahto, a Constable.
6. This Court, considering the seriousness of nature of allegation has called upon the learned Member Secretary, JHALSA to send the Secretary, DLSA, Hazaribagh to conduct an inquiry and submit a report.
7. The learned Member Secretary, JHALSA has been asked to appear through Virtual Mode. She has appeared through Virtual Mode and informed to this Court after pause of the proceeding that the Secretary, DLSA along with its team has gone to conduct an inquiry by recording the statement of the detainee.
8. This Court, also considering the fact that the issue of commission of rape upon the detainee, has called for the S.P., Hazaribagh directing the learned State Counsel for appearance of the S.P., Hazaribagh through Virtual Mode.
9. The S.P., Hazaribagh has appeared through Virtual Mode.
10. The S.P., Hazaribagh has stated that the thorough inquiry will be conducted pertaining to alleged misdeed of the said Ranjeet Mahto, which will be started forthwith.
11. He has also assured this Court that the proper security arrangement will be made of the detainee in the detention centre.
12. The I.G., Prison is also present in the Court. He has come to the Court for appearance in another case and as informed by Mr. Pankaj Kumar, learned Public Prosecutor, this Court has also called upon him to participate in the proceeding taking into consideration the seriousness of the allegation and its sensitivity.
13. Mr. Ashutosh Anand, learned AAG-III has submitted that the State will conduct a thorough inquiry.

14. This Court has posed a specific question that under what authority of law after acquittal in the criminal case, the detainee is being kept in the custody, whether she is inside the jail or in the detention centre.
15. We are living in era of Article 21 of the Constitution of India and, the inherent liberty conferred to the Human Being cannot be taken away without any authority of law.
16. Since, today is the first day of hearing and as such, this Court has thought it proper to adjourn the matter.
17. Considering the urgency the matter is being posted as a first case on Monday, i.e., 05.10.2026.
18. This Court is also of the view that since as per the allegation, the detainee is alleging against the police official, hence, this Court has thought it proper to call upon the Secretary, Home on the next date of hearing.
19. Let the Secretary, Home, Govt. of Jharkhand physically appear at 10:30 a.m. on Monday, i.e., 05.10.2026.
20. List this case on ***05.10.2026 as a first case.***
21. Let the report of the DLSA be placed on record in a sealed cover.
22. Let the report of S.P., Hazaribagh be also brought on record.

(Sujit Narayan Prasad, J.)

(Akhil Kumar, J.)

Dated: 01st October, 2026

Amar/-

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