

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
B. A. No. 264 of 2016  
Digvijay Singh @ Deeku ..... Petitioner  
Versus .....  
The State of Jharkhand ..... Opposite Party

-----  
CORAM : HON'BLE MR. JUSTICE H. C. MISHRA  
-----

For the Petitioner : Mr. Ashok Kumar Pandey, Advocate  
For the State : A.P.P.  
-----

2/ 29.01.2016 Heard learned counsel for the petitioner and learned A.P.P. for the Prosecution.

The petitioner has been made accused for the offences under Sections 366, 366-A, 376 of the Indian Penal Code and Sections 3 and 4 of the Protection of Children from Sexual Offence Act, in connection with Lohardaga (M) P.S. Case No. 6 of 2015 corresponding to G.R. No. 136 of 2015, S.T. No. 103 of 2015.

There being direct allegation against the petitioner to have kidnapped the minor daughter, aged about 14 years, of the informant, and in view of the fact that the victim girl had also supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C., earlier bail application of this petitioner was rejected on merits by order dated 13.8.2015 in B.A. No. 5255 of 2015.

Learned counsel for the petitioner has renewed the prayer for bail submitting that the informant, who is father of the victim girl, has turned hostile.

It is an admitted fact the victim has not been examined in the case. In her statement recorded under Section 164 of the Cr.P.C., she has disclosed her age to be about 15 years and the Court below has also assessed her age to be about 15 years. She has supported the factum of kidnapping and she has also stated that the petitioner married her and kept her in his room and they lived as husband and wife, from-where, she was recovered by the police.

In the facts of this case and taking into consideration the age of the victim girl, I am not inclined to reconsider the prayer for bail of the petitioner, Digvijay Singh @ Deeku. Accordingly, his prayer for bail is rejected.

( H. C. Mishra, J.)