IN THE HIGH COURT OF JHARKHAND AT RANCHI

B. A. No. 4807 of 2020

Tikki Sona, S/o Mohan Sona ... ... **Petitioner**

Versus

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

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

Through: Video Conferencing

07/04.12.2020:

1. Heard Mr. Jitesh Kumar, learned counsel appearing on behalf of the petitioner.
2. Heard Mrs. Shweta Singh, learned counsel appearing on behalf of the opposite party-State.
3. Learned counsel for the petitioner submits that the petitioner is in custody since 10.06.2018 in connection with Sidhgora P.S. Case No. 146/2018, corresponding to G.R.(POCSO) Case No. 2004/2018 for alleged offence registered under Section 376(D) of Indian Penal Code and Section 4 & 6 of POCSO Act, now said to be pending in the court of learned Special Judge (POCSO), Jamshedpur.
4. Learned counsel for the petitioner submits that earlier the bail application of the petitioner was rejected by this Court vide order dated 11.07.2019 in B.A. No. 641/2020. He submits that the victim has already been examined before the learned court below . He submits that the victim had supported her case against the present petitioner under Section 164 of Cr.P.C., but has not supported the case against the present petitioner in her evidence before learned court. The learned counsel does not dispute the fact that the trial is in progress, but at the same time, the informant and the investigating officer of the case have not been examined so far.
5. Learned counsel for the opposite party-State opposes the prayer and submits that it has been recorded in page-24 in the impugned

order the victim has filed a petition before Secretary, DLSA, Jamshedpur stating that the petitioner alongwith other accused and their family members are continuously threatening her saying that if she will disclose the matter to anyone, then they will kill and due to fear, she did not take their name in her evidence recorded in the court on 18.07.2019.

6. After hearing the learned counsel for the parties and considering the facts and circumstances of this case and the nature of allegation levelled against the petitioner and the fact that the trial has progressed, this Court is not inclined to enlarge the petitioner on bail and accordingly, the bail application of the petitioner is hereby rejected.
7. Let a copy of this order be immediately communicated to the learned court below through 'email/FAX'.

(Anubha Rawat Choudhary, J.)

Mukul/-