

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
B.A. No. 5461 of 2025

Nandu Diggi @ Damu Giggi @ Sonaram Diggi aged about 23 years son of Mahendra Diggi, resident of village-Petapeti Barikella, P.O. Barikella Khutpani, P.S. Muffasil, District-Singhbhum(West). ... Petitioner

Versus

The State of Jharkhand ... Opp. party

**Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

For the Petitioner : Mr. Arun Kumar , Adv.

For the State : Mr. Shree Prakash Jha, Addl. PP.

02 / 07.07.2025

Heard the parties.

The petitioner has been made accused in connection with Chaibasa Muffasil P.S. Case No. 128/2024 corresponding to Special POCSO Case No.44/2024 instituted under Section 64(1)/62 of the Bharatiya Nyaya Sanhita, 2023 and Section 8 of the POCSO Act.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner attempted to commit rape upon the minor victim girl at the point of knife and sexually assaulted her. It is submitted that the allegation against the petitioner is false. It is further submitted by learned counsel for the petitioner that the petitioner has no criminal antecedent, as mentioned in paragraph 15 of the bail application and he has been in jail custody since 11.10.2024 , as mentioned in para 15 of this bail application. It is next submitted by learned counsel for the petitioner that the petitioner is ready and willing to co-operate with the trial of the case hence, the petitioner may be admitted to regular bail.

Learned Addl. P.P. appearing for the State vehemently opposes the prayer for bail and submits that

keeping in view of the direct evidence, which has come through PW1- the victim, the petitioner ought to undergo at least three years of rigorous imprisonment and the materials available is sufficient to constitute the offence punishable under Section 8 of the POCSO Act and there is every chance of the petitioner absconding, if released on bail and also there is chance of the petitioner tampering with the evidence. It is therefore submitted that the petitioner ought not be released on bail at this stage.

Considering the serious nature of allegation against the petitioner and the fact as well as the chance of his tampering with the evidence and absconding, if released on bail, this Court is of the considered view that this is not a fit case where the above-named petitioner be released on bail. Accordingly, the prayer for bail of the above-named petitioner is rejected.

**(ANIL KUMAR CHOUDHARY, J.)**

Smita/-