IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1269 of 2026

Baby Tiwary, aged about 41 years, wife of Lalu Tiwari, resident of A-11, Vijay Nagar, Near Akash Deep Plaza, P.O.+P.S. – Golmuri, District – East Singhbhum (Jharkhand)

… Petitioner

Versus

1. The State of Jharkhand
2. Mohit Singh, son of not known to the petitioner resident of Sidhgora, P.O.+P.S. – Sidhgora, District – East Singhbhum (Jamshedpur)

… Opposite Parties

For the Petitioner : Mr. Mukesh Kumar Mehta, Advocate
Mr. Vishnu Prabhakar Pathak, Advocate
For the State : Mrs. Kumari Rashmi, Addl.P.P.
For the O.P. No.2 : None

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

By the Court:- **I.A. No.11474 of 2026**

1. Heard the parties.

2. Learned counsel for the petitioner submits that this interlocutory application has been filed for early hearing of this Criminal Miscellaneous Petition.

3. Since the hearing of this Criminal Miscellaneous Petition is being taken up today, hence, this interlocutory application is disposed of being infructuous.

(Anil Kumar Choudhary, J.)

Cr.M.P. No. 1269 of 2026

1. Heard the parties.

2. Though notice has been validly served upon the opposite party No.2 yet no one turns up on behalf of the opposite party No.2 in spite of repeated calls.

3. This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the prayer to direct expeditious disposal of Criminal Misc. Case No. 20 of 2025 which is pending in the Court of the learned Special Judge, POCSO Act Cases, Jamshedpur, East Singhbhum filed in connection with POCSO Case No. 89 of 2024 arising out of Sidhgora P.S. Case No. 15 of 2024 wherein the petitioner has filed application for cancellation of bail.

4. Learned counsel for the petitioner submits that the petitioner is aggrieved by grant of bail to the opposite party No.2 who is the accused persons of the said case but the learned Special Judge, POCSO Act Cases, Jamshedpur, East Singhbhum has unnecessarily kept the said petition dated 25.11.2025 pending. It is next submitted that the opposite party No.2 is regularly torturing and threatening the informant and her family members to compromise the case and the victim girl has not

been examined for several dates. Hence, it is submitted that the prayer as prayed for in this Criminal Miscellaneous Petition be allowed.

5. Learned Addl.P.P. appearing for the State has no objection to the prayer of the petitioner made in this Criminal Miscellaneous Petition.

6. Considering the mandate of law that in POCSO Case, a statement of the victim should be examined at the earliest opportunity. It is surprising that the learned Special Judge, POCSO Act Cases, Jamshedpur, East Singhbhum has not yet examined the victim girl. Further, perusal of the record reveals that Mr. B.K. Sahay - the learned Special Judge, POCSO Act Cases, Jamshedpur, East Singhbhum is un-necessarily delaying the disposal of Criminal Misc. Case No. 20 of 2025 filed by the petitioner and the perusal of the order sheet of the said case shows that even if no one turned up on behalf of the opposite party on consecutive dates starting from 20.01.2026, 11.02.2026, 21.02.2026 and 12.03.2026 but instead of passing the order in the said Criminal Misc. Case No. 20 of 2025, he is fixing the case to for the dates.

7. Considering the facts of the case, this Criminal Miscellaneous Petition is disposed of with a direction to the learned Special Judge, POCSO Act Cases, Jamshedpur, East Singhbhum to dispose of Criminal Misc. Case No. 20 of 2025 by the next date of listing of the case i.e. on 10.09.2026 unless the same has already been disposed of and further to record the evidence of the victim girl positively on 19.09.2026 unless the same has already been recorded by now.

8. Before parting, the Principal District Judge, East Singhbhum at Jamshedpur is directed to inspect all the records of the POCSO cases pending in the court of Mr. B.K. Sahay - the learned Special Judge, POCSO Act Cases, Jamshedpur, East Singhbhum within a week from the date of receipt of this order and in case, it is found that in any other case also the said Judge has either not recorded the statement of the victim or has not passed orders on any petition filed in any case without any plausible reason, the Principal District Judge is directed to impress upon Mr. B.K. Sahay - the learned Special Judge, POCSO Act Cases, Jamshedpur, East Singhbhum to get the statements of the victim recorded within a period of 15 days to pass orders on all petitions which is unnecessarily pending within 30 days. If even after the said period Mr. B.K. Sahay - the learned Special Judge, POCSO Act Cases, Jamshedpur, East Singhbhum either fails to record the statement of the victim or disposing of any petition filed in any case without any plausible reason, the Principal District Judge must intimate the Registrar General of this court within two months of receipt of this order.

9. Let a copy of this order be supplied to the Principal District Judge, East Singhbhum at Jamshedpur for compliance.

10. This Criminal Miscellaneous Petition is disposed of with the aforesaid direction.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 21st of August, 2026
AFR/ Saroj

Uploaded on 25/08/2026