

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3071 of 2023

Arising Out of PS. Case No.-178 Year-2019 Thana- GOVINDGANJ District- East
Champaran

-
1. BADAL KUMAR.
 2. Anuj Kumar @ Anus Kumar
Both are Sons of Ashok Sah Resident of Village - Bhelanari, P.S.-
Govindganj, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate

For the Opposite Party/s : Mrs.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek bail, who are in custody since
22.09.2021 in connection with POCSO Trial No.128 of 2021
arising out of Govindganj P.S. Case No. 178 of 2019, F.I.R.
dated 09.06.2019 registered for the offence punishable under
Sections 364,366(A),370,120(B) of the Indian Penal Code and
Sections 4 and 8 of POCSO Act.

The informant alleged that about one month ago
Mundrika Sah, his family members and the petitioners
kidnapped his daughter and took her to Mumbai. The petitioners
and others sold his daughter, who is still traceless. His daughter



called him from mobile No. 9657215135 and started weeping thereafter the mobile was switched off.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. Further submits that after examination of all the chargesheet witnesses, prosecution evidence was closed on 21.07.2022 and the case was fixed for examination of the petitioners under Section 313 Cr.P.C. on 28.07.2022 and thereafter the case was fixed for argument and defence argument completed on 16.08.2022 and thereafter order dated 14.09.2022 learned Trial Court directed the investigating officer to appear before the Court for clarification about the victim girl who submitted his report on 15.10.2022 for non-recovery of the victim girl.

Vide order dated 21.04.2023, a report was called for with regard to the stage of the trial. Report of the learned Trial Court dated 14.06.2023 reveals that the case is posted for final argument.

Considering the report of the learned Trial Court, I



am not inclined to enlarge the petitioners on bail in connection with POCSO Trial No.128 of 2021 arising out of Govindganj P.S. Case No. 178 of 2019 pending in the court of learned 6th Additional Sessions Judge-cum-Special Judge, POCSO,Motihari, East Champaran.

Prayer is refused.

However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

