

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20096 of 2024

Arising Out of PS. Case No.-56 Year-2018 Thana- TISIAUTA District- Vaishali

Lal Babu Pandit Son of Late Surendra Pandit @ Gyani Pandit R/o vill -
Pratap Tand, P.S. - Bhagwanpur, Distt. - Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeet Ram Son of Laldeo Ram R/o vill - Pranpur, P.S. - Tisiauta, distt. -
Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik Sinha

For the Opposite Party/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 09-08-2024 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of
Tisiauta Police Station Case No. 56 of 2018, dated
25.09.2018, disclosing offences under Sections 363/366-
A/34 of the Indian Penal Code read with Section 3/4 of
the Protection of Children from Sexual Offences Act
(hereinafter referred to as “POCSO Act” and later on
cognizance has been taken under Section 3(2)(v) of the
Scheduled Cast and Scheduled Tribe Act.
3. Earlier the petitioner moved before this Court for grant of
anticipatory bail in Cr. Misc. No. 29945 of 2020, which



got rejected vide order, dated 04.01.2021, and subsequently, the petitioner surrendered before the Court below and is in custody since 20.03.2023

4. The allegation, as per the First Information Report, is that the minor daughter of the informant was abducted by the petitioner and he established physical relationship with the informant's daughter leading to birth of child.
5. Learned counsel for the petitioner submits that there was love relationship between the petitioner and the victim girl. Petitioner solemnized marriage with her and was living as husband and wife in a rented house in Haryana. He next submit that the victim girl was medically examined and doctor has assessed her age between 19 to 20 years. Referring to the Section 35 of the POCSO Act, learned counsel submits that the Special Court has to complete the trial within one year of taking cognizance of the offence, if possible.
6. This Court vide order, dated 26.0.2024, called for a report regarding stage of trial. In pursuance thereof, the report has been submitted, stating therein, that out of five witnesses, two witnesses have already been examined except the victim girl and three other witnesses, who are yet to be



examined.

7. Regards being had to the submissions advanced by learned counsel for the parties and taking into consideration the statement of the victim girl, recorded under Section 164 of the Code of Criminal Procedure, and the fact that trial is likely to be concluded within six months, I am not inclined to grant regular bail to the petitioner, at this stage.
8. This application is, accordingly, rejected.
9. However, the petitioner will be at liberty to renew his prayer for bail after three months, if the victim girl is not examined by the prosecution.

(Anil Kumar Sinha, J)

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