

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34088 of 2024

Arising Out of PS. Case No.-133 Year-2022 Thana- SONBERSHA RAJ District- Saharsa

Sonam Kumar Yadav @ Priyadarshi Raj @ Priyadarshi son of Dilip Yadav
Resident of Tamkulha, P.S.- Sonwarsha Raj, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shankar Yadav S/o- Bindeshwari Yadav, R/o- Jamhara Ward No-11, P.S.- Sonwarsha Raj, Dist.- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Babu, Advocate
For the State	:	Mr. Jagdhar Prasad, APP
For the Informant	:	Mrs. Reshmi Jha, Advocate
		Mr. Hemant Ray, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 06-12-2024 Heard Learned Counsel for the petitioner, Learned
A.P.P. for the State and Learned Counsel for the Informant.

2. The petitioner seeks regular bail in connection with
Spl. POCSO Case No. 48 of 2022 arising out of Sonbarsa Raj
P.S. Case No. 133 of 2022, lodged on 11.06.2022 under Sections
341, 323, 366A, 504, 506 and 34 of the Indian Penal Code read
with Sections 8 and 12 of POCSO Act.

3. The bail application of the petitioner was earlier
rejected by this Court vide order dated 22.02.2023 passed in Cr.
Misc. No. 55696 of 2022 in which liberty was granted to the
petitioner to renew his prayer for bail one year after framing of
charge.



4. Learned Counsel for the petitioner submits that charge has already been framed in this case on 01.03.2023, and one year has already been lapsed.

5. Learned Counsel for the State opposes the prayer for bail.

6. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that the victim girl had handed over to her mother, however, she eloped again and there is no trace till date and, in this regard, an application was also filed before the Additional Sessions Judge-VI-cum-Special Judge, POCSO, Saharsa. Counsel further submits that the progress report was called for, and from the progress report, it becomes very much clear that charge has already been framed in this case, and out of four charge-sheet prosecution witnesses, evidence of three charge-sheet prosecution witnesses has already been taken place, and only evidence of one prosecution witness has to take place.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

8. It is directed to the Trial Court to conclude the trial



as early as possible. It is hereby directed to the Counsel for the informant to produce the prosecution witness, if examination not took place on behalf of the prosecution.

Aman Kumar/-

(Dr. Anshuman, J)

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