

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47724 of 2024

Arising Out of PS. Case No.-166 Year-2022 Thana- KUMAR KHAND District- Madhepura

Sudhir Kumar @ Sudhir Ram Son of Late Umesh Ram R/o Vill.- Mahadalit
Tola Ward no.12, Kharagpur, P.S.- Saharsa, Dist.- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rambati Devi Wife of Bijli Paswan R/O Vill.- Bhairapur, Ward no. 2, P.S.-
Kumar Khand, Dist.- Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-08-2024 Heard Mr. Krishna Prasad Singh, learned Senior
counsel for the petitioner and Mr. Anil Kumar Singh No. 1,
learned APP for the State.

2. Petitioner seeks bail, who is in custody since
06.08.2022, in connection with POCSO Case No. 42 of 2022
arising out of Kumarkhand P.S. Case No. 166 of 2022, F.I.R.
dated 07.05.2022 registered for the offences punishable under
Section 366(A) of the Indian Penal Code and Section 8 of the
POCSO Act.

3. The prosecution case, in short, is that on
04.05.2022, accused persons including the petitioner are alleged



to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned Senior counsel for the petitioner submits that earlier the petitioner has been granted bail vide order dated 28.02.2023 in Cr. Misc. No. 63781 of 2022 with a condition that one of the bailors should be the victim girl. Thereafter, the petitioner has filed modification application bearing Cr. Misc. No. 49003 of 2023 but the same was dismissed vide order dated 02.08.2023.

5. Vide order dated 12.07.2024 a report was called for with regard to the stage of the trial. Report dated 16.07.2024 of the learned Trial Court reveals that prosecution evidence has already been closed and record is running at the stage of under Section 313 of the Cr. P.C.

6. Considering the aforesaid facts and circumstances of the case and in view of the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 42 of 2022 arising out of Kumarkhand P.S Case No. 166 of 2022 pending in the Court of learned Additional Sessions Judge-VI cum Special Judge, POCSO, Madhepura.

7. Prayer is refused.



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

(Rajesh Kumar Verma, J)

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