

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68955 of 2024

Arising Out of PS. Case No.-452 Year-2022 Thana- BARUN District- Aurangabad

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Raushan Kumar S/O Ashok Chaudhary @ Asok Kumar Resident of Village-
Nageshwarpur, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabhu Chaudhary S/o Ram Prasad Chaudhary R/o vill - Dhamnigola, P.S. -
Barun, Distt. - Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-11-2024 Heard Mr. Binod Kumar Pandey, learned counsel

for the petitioner and Mr. Parmanand Prasad, learned A.P.P. for

the State.

2. The petitioner seeks bail, who is in custody since
17.11.2022, in connection with Barun P.S. Case No.452 of 2022,
FIR dated 13.10.2022 for the offences punishable under
Sections 341, 323, 504, 366, 366A and 376 of the Indian Penal
Code and Section 8/12 of the POCSO Act.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 08.05.2023 passed in Cr. Misc. No.
10176/2023.

4. Learned counsel for the petitioner outrightly



submits that the petitioner is in judicial custody since 17.11.2022 but the trial is not in progress and as per the mandate of the POCSO Act the trial should be concluded within a year.

5. Vide order dated 27.09.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 07.10.2024 reveals that charge has not been framed as yet due to absence of the other co-accused persons.

6. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

7. Considering the facts and circumstances of the case as well as the report of the learned trial Court, I am not inclined to enlarge the petitioner on bail in connection with Barun P.S. Case No. 452 of 2022 pending in the Court of learned A.D.J.-VI-Cum-Spl. Exclusive Judge (POCSO), Aurangabad.

8. Prayer is refused.

9. However, the petitioner may renew his prayer after framing of the charge.

(Rajesh Kumar Verma, J)

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