

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12734 of 2025

Arising Out of PS. Case No.-462 Year-2022 Thana- GORAUL District- Vaishali

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Sujeet Kumar S/O Laxman Bhagat @ Lakshman Bhagat R/O Village
Surhatha Dharampur, P.S.- Belsar Dist.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chanchal Devi W/O Suresh Singh R/O Vill.- Husaina Khurd, P.S.- Goraul,
Dist.- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the State : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-05-2025 Heard Mr. Ranjeet Kumar Thakur, learned counsel

for the petitioner and Mr. Ram Sevak Choudhary, learned APP

for the State.

2. Petitioner seeks bail, who is in custody since
06.11.2022, in connection with Sessions Trial No. 314 of 2023
arising out of Goraul P.S. Case No. 462 of 2022, F.I.R. dated
19.10.2022 registered for the offences punishable under
Sections 363, 366(A) of the Indian Penal Code and later on
charge was framed against the petitioner under Sections 363,
366(A) of the Indian Penal Code and Section 12(5) Prohibition
of Child Marriage Act and again charge was framed on
04.10.2024 under Sections 4 and 6 of the POCSO Act.



3. Earlier the prayer for bail of the petitioner was rejected vide order dated 20.07.2023 passed in Cr. Misc. No. 26916 of 2023.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 06.11.2022 and the trial is not in progress.

5. Vide order dated 26.03.2025 a report was called for with regard to the stage of the trial. Report dated 05.05.2025 of the learned Trial Court reveals that initially charge has been framed against the petitioner on 03.08.2023 under Sections 363, 366(A) of the Indian Penal Code and Section 12(5) Prohibition of Child Marriage Act and thereafter out of five chargesheeted witnesses, four witnesses have been examined and during the examination of the victim (P.W. 5) she has deposed that her age is about 16 years and after deposition of P.W. 5, the record has been transferred in the POCSO Court on 12.09.2024 and thereafter again the charge has been framed against the petitioner under Sections 4 and 6 of the POCSO Act on 04.10.2024.

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

7. Considering the aforesaid facts and circumstances



of the case as well as in view of the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 314 of 2023 arising out of Goraul P.S. Case No. 462 of 2022 pending in the Court of learned Additional Sessions Judge-6th-cum-Special Judge POCSO, Vaishali at Hajpur.

8. Prayer is refused.

9. 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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