

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6085 of 2025

Arising Out of PS. Case No.-272 Year-2021 Thana- DUMRA District- Sitamarhi

Uday Kapar, S/O Ramnaresh Kapar @ Naresh Kapar, R/O Village- Hanuman Nagar, P.S- Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chanchala Devi, W/o Hajari Ram, R/O Village- Paktola, P.S- Dumra, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs.Madhubala Verma, Advocate
For the State	:	Mrs. Usha Kumari-1, APP
For the O.P.No. 2	:	Mr. Uday Kumar, Advocate
		Mr. Rahul Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 11-07-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party no.2.

2. In the present case, the petitioner seeks bail in connection with Dumra P.S. Case No. 272 of 2021, registered for the alleged offences under Sections 341, 323, 504, 506, 379, 34 of the Indian Penal Code, Sections 3(1)/(r) (s)/2 (va) of SC/ST Act and Section 8 of POCSO Act.

3. As per prosecution case, the petitioner has been asking the informant to sell ganja from her shop which was to be supplied by the petitioner. On refusal of the informant, he used to abuse her by taking her caste name. Further allegation



against this petitioner is that he used to make indecent gesture towards 12 years old minor daughter of the informant and further used to touch her inappropriately. Further allegation against this petitioner is that on the date of occurrence, the petitioner tried to induce the minor daughter of the informant to do wrongful act in loneliness and tried to take her there forcibly. The minor daughter of the informant came running crying and told the informant about the act of this petitioner. When the informant went to scold him, she was abused and assaulted by the petitioner and other co-accused persons.

4. The learned counsel for the petitioner submits that this is second attempt of the petitioner to seek bail from this Court. Earlier, the prayer for bail of the petitioner was rejected vide order dated 05.09.2022 passed in Cr. Misc. No.65555 of 2021. The learned counsel further submits that the petitioner is in custody since 28.07.2021 and though the evidence has been concluded, but the judgment has not been delivered till date and the matter has not been disposed of.

5. Perusal of record shows a report has been received from the learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Sitamarhi and from the report, it transpires that the matter was fixed for defence evidence on 23.04.2025. At the



same time, on 27.06.2025, submission has come from the learned counsel for the opposite party no. 2 that the parties have been directed to file written arguments and the matter is at the stage of hearing.

6. Since the matter is at the fag end and only argument is to be completed and the judgment is to be delivered and without any change in material circumstances, I am not inclined to enlarge the petitioner on bail at this stage. Hence, his prayer for grant of bail is rejected.

7. However, learned trial court is directed to expedite the matter and proceed to dispose of it considering the fact that the petitioner has been in custody since 28.07.2021 and the matter has been running at the stage of argument.

(Arun Kumar Jha, J)

V.K.Pandey/-

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