

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6800 of 2025

Arising Out of PS. Case No.-399 Year-2023 Thana- RAJAON District- Banka

Gopal Chaudhary S/O Pramod Chaudhary R/O Village- Bela, P.S.- Rajoun,
District- Banka

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Mala Devi W/O Bipin Paswan R/O Village- Bela, P.S.- Rajoun, District-
Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 02-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The prayer for bail of the petitioner was earlier
rejected vide order dated 10.01.2024 passed in Criminal
Miscellaneous No. 84714 of 2023.

3. Learned counsel for the petitioner submits that,
admittedly, Section 376 of the Indian Penal Code and relevant
provisions of the POCSO Act have been added in the present
case. He contends that the direct allegation of kidnapping is
against co-accused Suraj Ram, and the alleged victim was
recovered from the house of the said co-accused. It is further
submitted that this Court had earlier called for a report regarding
the present stage of the trial and the time frame within which it



is likely to be concluded.

4. Learned A.P.P. for the State opposes the prayer for bail and submits that the present case has been registered under the provisions of the POCSO Act as well as the Indian Penal Code.

5. Upon perusal of the report received through Letter No. 38 dated 24.04.2025, it appears that out of eight charge-sheeted witnesses including the victim, only one witness (the Medical Officer) has been examined so far. The report further indicates that the trial is likely to be concluded within five to six months.

6. In the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner in connection with Special POCSO Case No. 126 of 2023 arising out of **Rajaon P.S. Case No. 399 of 2023**, pending before the Court of the learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Banka, is hereby rejected.

7. Speedy trial is a constitutional mandate and an essential facet of justice. Therefore, the Trial Court is directed to take all necessary steps to ensure that the trial is concluded within a period of five months from the date of receipt of this



order. The Sr. Superintendent of Police/Superintendent of Police, Banka, is directed to instruct the concerned Station House Officer/Investigating Officer to take all requisite measures to secure the attendance and examination of the remaining charge-sheet witnesses in connection with the aforementioned case within the stipulated period.

8. The Registry is directed to communicate a copy of this order to the Principal District and Sessions Judge, Banka, and the Sr. Superintendent of Police/Superintendent of Police, Banka through Email/WhatsApp/Fax or any other appropriate mode of communication forthwith.

9. The Registry is further directed to hand over a copy of this order to the learned Additional Public Prosecutor for communication to the **Sr.** Superintendent of Police / Superintendent of Police, Banka, at his own level.

(Dr. Anshuman, J)

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