

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9323 of 2025

Arising Out of PS. Case No.-7 Year-2024 Thana- MAHILA P.S. District- Samastipur

Sandeep Ram @ Sandeep Kumar @ Sanjeet Ram S/O Jugo Ram R/O Village-
Balapar, Ward No 08, P.S- Rosera, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punita Devi W/O Manoj Das R/O Village- Balapar, Ward No. 08, P.S-
Rosera, Distt.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Choudhary, Adv
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 11-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Samastipur Mahila P.S. Case No. 7 of 2024 registered for the

offences under Sections 376, 341, 342 and 363 of the IPC

and Section 4 of the POCSO Act.

3. The petitioner is named in the F.I.R. and is in

custody since 09.09.2024.

4. The allegation against the petitioner is to

kidnap the minor daughter of informant for the purpose of

illicit intercourse or seduce/force her to marry another person.



5. Learned counsel appearing on behalf of the petitioner submitted that due to property dispute present false implication was raised. It is also submitted that as petitioner is in custody for about a year, matter is still pending at the stage of evidence. It is also submitted that the statement of victim as recorded under Section 183 of the BNSS appears tutored under the influence of her mother and moreover, her statement also appears contradictory *qua* presence of her young sister during the occurrence. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

6. Learned APP appearing on behalf of State, while opposing the prayer for bail submitted that victim while recording her statement under Section 183 of the BNSS categorically supported the fact that this petitioner kidnapped her and committed penetrative sexual assault/rape upon her. It is pointed out that progress of trial is satisfactory as out of five charge-sheeted witnesses four have already been examined and there is all likelihood that trial may conclude within preferred time limit of one year as available under



Section 35 (2) of the POCSO Act.

7. Considering the aforesaid factual submissions and by taking note of statement of victim who appears prima-facie minor on the date of occurrence supported allegation of kidnapping and of penetrative sexual assault/rape against petitioner, where progress of trial appears satisfactory, accordingly, the prayer for bail of the petitioner is rejected herewith for the present.

8. As petitioner remains in custody since 09.09.2024, the learned Trial Court is directed to conclude the trial within preferred time period of one year from the date of cognizance as per the mandate available under Section 35 (2) of the POCSO Act.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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