

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23891 of 2025

Arising Out of PS. Case No.-218 Year-2022 Thana- KHAJANCHI HAT District- Purnia

Md. Haidar S/o Md. Ibrahim Resident Of Village- Pokhariya, Ps- Mufassil,
(Ranipatra), Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Parmanand Sah S/O Late Saryug Sah R/O Shivanagar, Near power grid, ward no. 10, PS - Maranga, Dist - Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mandal, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-04-2025 Heard Mr. Sanajy Kumar Mandal, learned counsel

for the petitioner and Mr. Ram Naresh Ray, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
15.03.2022, in connection with Khajanchi Hat (K. Hat) Maranga
P.S. Case No. 218 of 2022 corresponding to Special (POCSO)
Case No. 55 of 2022, F.I.R. dated 05.03.2022 registered for the
offences punishable under Sections 363, 366(A) of the Indian
Penal Code and the chargesheet has been submitted under
Sections 363, 366(A), 376 of the Indian Penal Code read with
04/6 of the POCSO Act.

3. The daughter of the informant is said to have been



eloped by the petitioner.

4. Earlier the prayer for bail of the petitioner was rejected vide order dated 23.02.2023 passed in Cr. Misc. No. 49653 of 2022 and thereafter the petitioner had again moved before this Court in Cr. Misc. No. 8266 of 2025 but the same was dismissed as withdrawn with liberty to move a fresh application before the learned Court below.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 15.03.2022 and the trial is not in progress.

6. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and referring Annexure-4 of the bail petition which suggests that the trial is in progress and witnesses were examined in the present trial and the statement of the victim under Section 164 of the Cr. P.C./Section 183 of BNSS, 2023 was recorded in which she has categorically stated that the petitioner has committed rape upon her and apart from that learned APP for the State has also drawn the attention to this Court in the impugned order which suggests that five witnesses have already been examined in the present case.

7. Considering the aforesaid facts that there is direct



allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Khajanchi Hat (K. Hat) Maranga P.S. Case No. 218 of 2022 corresponding to Special (POCSO) Case No. 55 of 2022 pending in the Court of learned 6th Additional District & Sessions Judge-cum-Special Judge (POCSO), Purnea.

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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