

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28722 of 2025

Arising Out of PS. Case No.-598 Year-2021 Thana- SITAMARHI District- Sitamarhi

Ladli Khatoon @ Anjum Ara @ Ladali @ Ladli W/O Md. Javed @ Md.
Aabed Resident of Village- Boha Tola, Ward No. 9, P.S. and Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajnarayan Singh, Dy. S.P. (HQ), Sitamarhi Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the State	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 31-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Sitamarhi P.S. Case No. 598 of 2021 dated 29.07.2021, lodged under Sections 363, 365, 366A, 370, 370A, 372, 373, 376, 120B, and 34 of the Indian Penal Code, under Sections 3, 4, 5, and 6 of the Immoral Traffic (Prevention) Act, 1956, under Sections 4 and 6 of the POCSO Act, and under Sections 75 and 79 of the Juvenile Justice (Care and Protection of Children) Act.

3. Learned counsel for the petitioner submits that the bail application of the petitioner has earlier been rejected twice



vide order dated 31.01.2024 passed in Cr. Misc. No. 2579 of 2024 and *vide* order dated 31.01.2025 passed in Cr. Misc. No. 51497 of 2024.

4. Counsel further submits that on the first occasion, liberty was granted to the petitioner to renew his prayer for bail upon framing of charges. On the second occasion, the bail application was rejected on the ground of Section 35(2) of the POCSO Act, which provides that the trial shall be completed within one year, at that time, one year had not elapsed from the date of cognizance. Counsel further submits that cognizance in this case was taken on 21.02.2024, and more than one year has been lapsed, yet the trial has not been concluded. Counsel further submits that a Co-ordinate Bench of this Court has already granted bail to some of the co-accused persons. He further submits that the progress of the trial has been called for by this Court.

5. Learned APP for the State opposes the prayer for bail and submits that a report regarding the present stage of the trial was called for, and from the said report, it transpires that the trial is in progress. Out of 14 witnesses, the examination of 4 witnesses has been completed, and 10 witnesses are yet to be examined. It is further submitted that more than one year has



elapsed from the date of taking cognizance.

6. Counsel further submits that an affidavit has been filed by the Superintendent of Police, Sitamarhi, indicating that none of the victims has filed any application or complaint before the Police Station seeking protection till date. It has further been stated in the affidavit that whenever any victim approaches the police for protection, the police is duty-bound to provide the same.

7. In light of the submissions made above, particularly the fact that more than one year has elapsed since the date of cognizance but the trial has not yet been concluded, and considering that the Superintendent of Police, Sitamarhi, has stated readiness to provide protection to the victims in case any complaint is received, this Court deems it fit that keeping the accused in custody would not serve any purpose, especially when a Co-ordinate Bench of this Court has already granted bail to other co-accused persons.

8. Accordingly, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand only) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VI-cum-Special Judge, Sitamarhi, in connection with



Sitamarhi P.S. Case No. 598 of 2021, subject to the conditions
as laid down under Section 480(3) of the BNSS.

(Dr. Anshuman, J.)

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