

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44729 of 2025

Arising Out of PS. Case No.-148 Year-2022 Thana- PANCHRUKHI District- Siwan

Suraj Mahto Son of Jaghru Mahto Resident of Village - Tiloota Rasaulpur,
P.S.- Pachrukhi, Distt.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gyanti Devi Wife of Dharmendra Mahto Resident of vill.- Tilauta Rasulpur,
P.S.- Pachrukhi, Dist.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate
For the State : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-09-2025 Heard Ms. Kumari Anupam, learned counsel for the
petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 03.07.2022
in connection with POCSO Trial No. 71 of 2022 arising out of
Pachrukhi P.S. Case No. 148 of 2022, F.I.R. dated 02.07.2022
for the offences punishable under Sections 342, 354(A), 376,
511 of the IPC and Section 8/12 of the POCSO Act.

3. According to prosecution case, the informant alleged
that her minor daughter disclosed that the petitioner had taken
away her by tying her mouth and eyes and tried to establish
physical relation with her.



4. Earlier, the petitioner has moved before this Court for grant of regular bail in Cr. Misc. No. 51703 of 2022 but the same was dismissed vide order dated 25.02.2023. Thereafter, the petitioner has again moved before this Court in Cr. Misc. No. 76856 of 2023 but the same was dismissed vide order dated 12.01.2024.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent. He further submits that the petitioner is in custody since 03.07.2022 and the trial has not been concluded as yet.

6. Vide order dated 07.07.2025, a report was called for with regard to the present stage of trial. Report of the learned Trial Court dated 24.07.2025 reveals that all the witnesses have been examined in the present case but subsequently, the charges have been altered, incorporating Section 376 of the IPC and in view of the aforesaid development, all the witnesses have been recalled for re-examination and till date all the witnesses have been re-examined except the Investigating Officer.

7. The learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts, nature of allegation as well as report of the learned Trial Court, I am not inclined to



enlarge the petitioner on bail in connection with POCSO Trial
No. 71 of 2022 arising out of Pachrukhi P.S. Case No. 148 of
2022 pending in the court of learned A.D.J.-VI, Siwan.

9. Prayer is refused.

10. However, learned Trial Court is directed to expedite
and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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