

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44858 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- MAHINDWARA District- Sitamarhi

Vikash Kumar S/o- Chandeshwar Rai Village -Mahesha Farakpur ward no. -5
@ Mahesha Farrukhpur, P.S. -Runnisaidpur (Mahindw ara), Dist. - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chameli Devi W/o- Sheshnath Rai Village- Mahesha Farakpur W.No-6, Ps-
Mahindwara Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 31-10-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Sessions Trial No.70 of 2025 arising out of Mahindwara P.S.
Case No. 48 of 2025 lodged on 18.03.2025, for the offence
punishable under Sections 96 & 3(5) of the Bharatiya Nyaya
Sanhita, 2023 read with section 8 of the POCSO Act, pending in
the Court of Additional Sessions Judge VI cum Special Judge
(POCSO Act), Sitamarhi.

3. Learned counsel for the petitioner submits that the
regular bail application of the petitioner was earlier rejected
vide order dated 04.06.2025 passed in Cr. Misc. No. 34618 of
2025 with liberty granted to the petitioner to renew his prayer



for bail after framing of charge. Counsel submits that charge has already been framed in this case on 17.06.2025. Counsel further submits that the petitioner is in custody since 24.03.2025, having clean antecedent.

4. Learned APP for the State opposes the prayer for bail of the petitioner.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that it is a case in which POCSO Act has been added against the petitioner. Counsel submits that the trial still not concluded and out of four witnesses, three witnesses have been examined. Counsel further submits that cognizance has been taken on 05.05.2025 and according to the POCSO Act, trial has to be concluded within one year from the date of taking cognizance.

6. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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