

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48859 of 2025**

Arising Out of PS. Case No.-139 Year-2025 Thana- KATEYA District- Gopalganj

Nandlal Ram, S/o Garju Ram, R/o Village-Tetariya Jagarnath, P.S.-Kateya,  
District- Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar
2. Dhoda Manjhi, S/o Yadu Manjhi, R/o Village-Tetariya, P.S.-Kateya, District-  
Gopalganj

... .. Opposite Parties

**Appearance :**

|                    |   |                                  |
|--------------------|---|----------------------------------|
| For the Petitioner | : | Mr. Lokesh Kumar Singh, Advocate |
| For the State      | : | Mr. Ashok Kumar Singh, APP       |
| For the Informant  | : | Mr. Sunil Kumar Singh, Advocate  |
|                    |   | Mr. Adesh Raj Singh, Advocate    |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

4      04-12-2025                      Heard learned counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State duly  
  
assisted by learned counsel for the informant.

2. The accused/petitioner seeks bail in connection  
  
with POCSO Case No.51 of 2025 arising out of Kateya P.S.  
  
Case No.139 of 2025 registered for the offences punishable  
  
under Sections 64(1), 89 of the Bhartiya Nyaya Sanhita,  
  
2023 (for short 'B.N.S.') and Section 4 of the Protection of  
  
Children from Sexual Offences Act (in short 'POCSO Act').

3. The accused/petitioner is named in the FIR and  
  
is in custody since 15.03.2025.



4. Allegation against petitioner is commit penetrative sexual assault upon minor daughter of informant aged about 13 years.

5. It is submitted by learned counsel appearing for petitioner that petitioner is in custody since last eight months almost with no progress in trial. It is submitted that nothing incriminating surfaced during medical examination, which may suggest that penetrative sexual assault as alleged was committed upon minor daughter of informant. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing for the informant while opposing the prayer of bail submitted that upon medical examination, the victim found pregnant out of alleged sexual assault by this petitioner. It is also pointed out that the occurrence has been supported by the victim while recording her statement under Section 183 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short



‘BNSS’).

7. A report was also called for from the learned trial court regarding stage of trial, where it appears that the cognizance in this matter was taken on 24.07.2025 and charge was framed on 21.08.2025 thereafter, on 10.11.2025, summon was issued to the witnesses.

8. In view of aforesaid factual submissions and by taking note of statement of victim as recorded under Section 183 of the BNSS, where she specifically alleged against this petitioner as to commit sexual assault upon her, who upon medical examination found ‘positive’ for pregnancy, accordingly, the prayer of bail of petitioner stands rejected, for the present.

9. However, as petitioner remains in custody since 15.03.2025, learned trial court is directed to conclude the trial within time limit as provisioned under Section 35(2) of the POCSO Act.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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