

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59399 of 2025

Arising Out of PS. Case No.-363 Year-2024 Thana- TRIVENIGANJ District- Supaul

Shankar Kumar, S/o Sri Bijendra Yadav @ Bijli Yadav, R/o Village-
Chatgawn, Ward No. 12, P.S- Triveniganj, Dist.- Supaul.

... .. Petitioner

Versus

1. The State of Bihar
2. Nilam Devi W/o Sri Rajendra Yadav R/o Village- Chatgawn, Ward No. 12,
P.S- Triveniganj, Distt.- Supaul.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 27-11-2025 Heard learned counsel for the petitioner
and learned Additional Public Prosecutor for the
State.

2.The accused/petitioner seeks bail in
connection with Special POCSO Case No.150 of
2024 arising out of Triveniganj P.S. Case No.363 of
2024 registered for the offences punishable under
Sections 74, 75, 76, 89, 115(2), 126(2), 352 and
64(1) of the Bhartiya Nyaya Sanhita, 2023 (for
short 'B.N.S.').

3.The accused/petitioner is named in the
FIR and is in custody since 20.09.2024.



4. Allegation against petitioner is to commit penetrative sexual assault upon minor daughter of informant aged about 18 years.

5. Learned counsel appearing for the petitioner submitted that when for any of the social reasons, the marriage of petitioner could not solemnized with daughter of the informant, taking shelter of school certificate, the present false case was lodged. It is submitted that petitioner remained in custody for more than one year i.e. for about fifteen months and still only two prosecution witnesses were examined before learned trial court out of eight charge-sheeted witnesses, suggesting sufficiently that the trial would not conclude in near future, where the timeline as provisioned under Section 35(2) of the POCSO Act as to conclude the trial appears already crossed.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid, as petitioner remains in custody since 20.09.2024, where timeline as provisioned under Section 35(2) of the



POCSO Act as to conclude the trial already appears crossed, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-cum-Special Judge (POCSO) Act, Supaul in connection with Special POCSO Case No.150 of 2024 arising out of Triveniganj P.S. Case No.363 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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