

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7866 of 2026**

Arising Out of PS. Case No.-536 Year-2023 Thana- BIRAUL District- Darbhanga

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Amarjeet Sada S/O Malvar Sada @ Malwar Sada R/O Village- Bhawanipur,  
P.S - Biraul, District - Darbhanga, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kari Sada S/O Siyaram Sada R/O Vilage- Bhawanipur, P.S- Biraul, Distt.- Darbhanga (Bihar).

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      18-03-2026                      Heard Mr.Rajesh Kumar Singh, learned counsel for  
  
the petitioner and Mr.Jitendra Kumar Singh, learned A.P.P. for  
  
the State.

2. The petitioner seeks bail, who is in custody since  
  
09.12.2023 in connection with Biraul P.S. Case No. 536 of  
  
2023(Session Case No.POCSO G.R.11 of 2024), F.I.R. dated  
  
04.11.2023 registered for the offence punishable under Sections  
  
376 of the Indian Penal Code and Sections 4,6 of POCSO Act.

3. Earlier the prayer for bail of the petitioner was  
  
twice rejected vide orders dated 18.09.2024 and 09.05.2025  
  
passed in Cr. Misc. Nos. 41404 of 2024 and 27944 of 2025  
  
respectively.



4. Learned counsel appearing for the petitioner submits that the petitioner is in custody since 09.12.2023 and the trial is not in progress.

5. Learned APP for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and has drawn the attention in the impugned order which is reproduced hereinbelow:-

*“In this case, during trial 4 PW's examined. PW2 was examined but none appeared for cross-examination, on behalf of accused. PW3 is Informant and PW4 victim examined, she supported the case of prosecution. The material witness PW3 was recalled but not examined yet. Hence, there is delay on part of petitioner to cross-examine the witness. The petitioner himself, delaying the trial by not cross-examining the witness.”*

6. The material available in the impugned order, as noted above, which suggests that due to laches on the part of the petitioner, the trial has not been concluded as yet.

7. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Biraul P.S. Case



No. 536 of 2023(Session Case No.POCSO G.R.11 of 2024),  
pending in the court of learned Exclusive Special Judge  
(POCSO Act), Darbhanga.

8. Prayer is refused.

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

**(Rajesh Kumar Verma, J)**

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