

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81674 of 2025

Arising Out of PS. Case No.-706 Year-2022 Thana- JOGAPATTI District- West Champaran

Mukesh Ram S/o Raushan Ram Resident of Village - Balua Murat Rai
(Bhawani Rai), Police Station- Yogapatti, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Om Prakash Mishra S/o Kanti Mishra R/o vill - Balua Bhawani Rai, P.s-
Yogapatti, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratik, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-02-2026 Heard Mr.Pratik, learned counsel for the petitioner
and Mr.Ajay Kumar Jha, learned Additional Public Prosecutor
for the State.

2. The petitioner seeks bail, who is in custody since
13.01.2023 in connection with Yogapatti P.S. Case No. 706 of
2022, which gave rise to CIS-POCSO-70/2023, F.I.R. dated
24.12.2022 registered for the offence punishable under Sections
366(A),34 of IPC and Sections 8 & 12 of the POCSO Act.

3. Earlier the prayer for bail of the petitioner was
twice rejected vide order dated 06.09.2023 and 04.10.2024
passed in Cr. Misc. Nos.58010 of 2023 and 61098 of 2024
respectively.



4. Learned counsel appearing for the petitioner submits that the petitioner is in custody since 13.01.2023 and the trial has not been concluded as yet.

5. Vide order dated 22.12.2025, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 06.01.2026 reveals that out of seven prosecution witnesses, two prosecution witnesses have been examined and the case is pending for examination of rest of five prosecution witnesses.

6. Learned counsel for the petitioner referring the report of the learned Trial Court and submits that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 13.01.2023 more than three years.

7. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts, report of learned Trial Court as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Rape & POCSO Act, West Champaran, Bettiah in connection with Yogapatti P.S. Case No. 706 of 2022, which gave rise to



CIS-POCSO-70/2023, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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