

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85879 of 2025

Arising Out of PS. Case No.-33 Year-2024 Thana- MAHILA PS District- East Champaran

Sami Akhtar S/O Sheikh Jamil Akhtar @ Jameel Akhtar R/o Village-
Lakhaura, Bichla Tola P.S.- Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Late SK. Sakir Hussain R/o Village- Lakhaura, Bichla Tola P.S.-
Lakhaura, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Sr. Advocate Mr. Asif Kalim, Advocate Mr. Rananjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 13-02-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Mahila
P.S. Case No. 33 of 2024, instituted for the offences under
Sections 64, 352, 351(2), 351(3), 3(5) of the Bharatiya Nyaya
Sanhita, 2023, read with Sections 4, 6 and 8 of the POCSO Act.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected by this Court vide order dated
24.03.2025 passed in Cr. Misc. No. 88111 of 2024 taking into
consideration the statement of the victim recorded under Section



183 of BNSS and nature and gravity of the offence.

4. In compliance of the order dated 12.12.2025, a report dated 12.01.2026 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that the case is fixed at the stage of prosecution evidence. There are total seven charge-sheeted witnesses in this case and process of Summon has already been issued against them but not a single witness has turned up for their evidence. It is further reported that if the the prosecution and defence co-operates, the trial is likely to be concluded within a period of six months.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 26.10.2024 without any rhymes or reason and has got no criminal antecedent. It is further submitted that charge has already been framed against the petitioner on 09.10.2025 and no any witness has been examined in this case.

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

7. There is no new ground to consider the bail petition of the petitioner. From the aforesaid report, it appears that the case is fixed at the stage of prosecution evidence.



8. In view of the above, the prayer for bail of the petitioner is again rejected with a direction to the court below to expedite the trial and conclude the same preferably within a period of six months from today.

(Rudra Prakash Mishra, J)

Rajorshi/-

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