

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86587 of 2025

Arising Out of PS. Case No.-427 Year-2025 Thana- AURANGABAD TOWN District-
Aurangabad

=====

Budhu Sekh S/O Rajak Sekh Resident of Mohalla- Azad Nagar, Ward No. 14,
Tikari, P.S. -Aurangabad (Town) District Aurngabad, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabiya Perween D/O Mahrum Abdul Kalam Resident of Mohalla- Azad Nagar, Ward No. 14, Tikari, P.S. -Aurangabad (Town) District Aurngabad, Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Kumari Chandna, Advocate
For the State	:	Mr.Navin Kumar Pandey, A.P.P.
For the Informant	:	Ms. Aditit Medha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 06-05-2026 Heard learned counsel for the petitioner, learned
A.P.P for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in connection with Aurangabad (Town) P.S. Case No. 427 of 2025 instituted for the offence under Sections 126(2), 127 (2), 96 of B.N.S and Section 4 of the POCSO Act.

3. The case of the prosecution is that the petitioner has forcefully made the minor son of the informant to suck his private part.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Learned



counsel further submits that the petitioner and the informant are neighborer. It has further been submitted that a report from the learned trial court was called regarding the stage of trial and from the perusal of the report, it transpires that till today only charges were framed on 15.11.2025 but no witness has been examined from the side of the prosecution. Learned counsel further submits that the petitioner is in custody since 09.10.2025 having no criminal antecedent.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of regular bail. Learned counsel for the informant has submitted that from the perusal of the statement of the victim under Section 183 of B.N.S.S, it will transpire that he has fully supported the case of the prosecution. The allegation against the petitioner is that of actually assaulting the minor son of the informant who aged about six years.

6. Having heard the learned counsel for the parties and considering the facts and circumstances of this case as stated above, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. However, the petitioner will be at liberty to renew



his prayer for bail after six months if the trial is not concluded.

8. Learned trial court is further directed to expedite the trial and dispose the same in view of Section 35 of the POCSO Act.

(Ashok Kumar Pandey, J)

vashudha/-

U		T	
---	--	---	--

