

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25827 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- SHAMBHUGANJ District- Banka

Gourav Yadav S/o Karun Kumar Yadav Resident of village- Barbittah, P.S.-
Shambhuganj, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khusboo Devi W/o Chandrashekhar Singh R/o vill - Basbittah, P.S.-
Shambhuganj, Distt.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Md.Najmul Hodda, Adv
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP
For the Informant	:	Mr. Ashutosh Singh, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Shambhuganj P.S. Case No. 62 of 2024 registered for the

offences under Sections 366 (A) and 34 of the Indian Penal

Code & Section 8 of the POCSO Act.

3. The petitioner is named in the F.I.R. and is in

custody since 25.02.2025.

4. The allegation against the petitioner is to help

the co-accused Sourav Kumar Yadav who had kidnapped the

minor daughter of the informant for the purpose of illicit



intercourse or to seduce/force her to solemnize marriage with another person.

5. Learned counsel appearing on behalf of the petitioner submitted that from the bare perusal of statement of victim as recorded under Section 183 of the BNSS, the entire thrust of allegation is available against co-accused Sourav Kumar Yadav with whom daughter of informant was in love affairs. It is submitted that maximum allegation against this petitioner is to provide motorcycle to main co-accused Sourav Kumar Yadav and to help him to flee away with victim. While concluding the argument it is submitted that petitioner was found involved in four more cases of petty nature, where he is on bail.

6. Learned APP duly assisted by learned counsel appearing on behalf of the informant while opposing the prayer for bail submitted that petitioner was actively involved in the occurrence and in actual facilitated co-accused Sourav Kumar Yadav.

7. In view of aforesaid facts and circumstances as mentioned above and by taking note of fact as the thrust of



allegation qua kidnapping and sexual assault prima-facie available against co-accused Sourav Kumar Yadav and not against this petitioner, coupled with the fact as petitioner remains in custody since 25.02.2025, accordingly the above named petitioner, is directed to be released on bail in connection with Shambhuganj P.S. Case No. 62 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-6 cum Special Judge POCSO, Banka/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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