

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43058 of 2025

Arising Out of PS. Case No.-367 Year-2018 Thana- GHOSI District- Jehanabad

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Pankaj Kumar S/O Sidhnath Prasad @ Sidhnath Yadav @ Siddhnath Prasad
Resident of Village- Nasartpur, P.S- Makhdumpur, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Umesh Yadav S/O Shivbalak Yadav R/O Village- Dayalubigha, P.S-
Makhdumpur, Distt.- Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Special POCSO Case No. 45 of 2020 arising out of Ghosi P.S. Case No. 367 of 2018 dated 17.09.2018 registered for the offences punishable u/ss 366A and 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have abducted the informant's daughter by enticing her. It is further alleged that the petitioner kept the informant's daughter in Bihta and the informant suspects that the petitioner



might sold after committing wrong with her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged offence. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that it is a case of first misuse of privilege of bail. The petitioner was earlier on bail and after taking cognizance on 22.12.2020, NBW against the petitioner issued on 06.06.2025 and lastly Section 83 of the Cr.P.C. was issued against the petitioner due to mistake of pairvikar. The petitioner was declared absconder on 04.03.2025 after which he surrendered himself in the concerned court and was sent to jail on 25.04.2025 and since then he is in custody. The petitioner has clean antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Jehanabad in connection with Special POCSO Case No. 45 of 2020 arising out of Ghosi P.S. Case No. 367 of 2018 with the conditions :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) The petitioner is directed to cooperate in the trial before the learned court below.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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