

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48445 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- BHAGWANGANJ District- Patna

Shivshankar Kumar @ Shivshankar Pandit S/o Mohan Pandit, Resident of
Village - Belaganj, (Hanuman Nagar), P.S. - Belaganj, District - Gaya
... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramdayal Mahto S/o Late Devlal Mahto R/o Vill- Kharauna, P.S.-
Bhagwanganj, Distt- Patna
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner has filed
supplementary affidavit in the Court today, which is kept on
record.

3. The petitioner seeks bail in connection with Spl.
(POCSO) Case No. 287 of 2024 arising out of Bhagwanganj
P.S. Case No. 65 of 2024 dated 10.05.2024 instituted for the
offence punishable under Sections 363, 365 of the Indian Penal
Code and Section 8 & 12 of the POCSO Act.

4. The prosecution case, in short, is that the daughter
of the informant used to go to the house of his co-villager,



namely, Dharmendra Kumar to learn stitching. On 09.05.2024, she made a phone call to her father and said that she would not return today to house as she had come to Mandebigha in birthday party of her friend and thereafter her phone was found switched off. The informant searched her daughter a lot but she could not be traced.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the victim girl has stated in her statement recorded under Section 183 B.N.S.S. that she went with the petitioner with her own will and on 11.05.2024, she returned to home and she does not want to pursue this case. There is no whisper of sexual assault against the petitioner. Learned counsel for the petitioner further submits that due to intervention of friends and well-wishers of both parties, all disputes have been settled between both the parties and the informant and victim do not want to pursue this case further and in this regard, a compromise petition has been filed before the concerned court. Lastly, it has been submitted that the petitioner is in custody since 04.06.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

6. Learned A.P.P. for the State opposed the prayer for



bail of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-VII -cum- Spl. Judge, POCSO, Patna in connection with Spl. (POCSO) Case No. 287 of 2024 arising out of Bhagwanganj P.S. Case No. 65 of 2024.

(Khatim Reza, J)

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