

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14083 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Dukhit Das, S/o Chitwan Das, R/o Village- Bishanpur, P.S. Kotwa,
District East Champaran, Motihari Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Yogendra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 18-04-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Kotwa (Bhopatpur) Police Station Case No. 45
of 2015, disclosing offences under Sections 363, 366A, 372,
387, 120B/34 of the Indian Penal Code and Section 16 of
the Protection of Children from Sexual Offence Act, 2012.

Learned Counsel for the petitioner has
submitted that his implication is based on suspicion. He
further submits that no material has been collected in
course of investigation sufficient for connecting the present
petitioner with the offence alleged. He has contended that
the Superintendent of Police, Motihari, upon supervising the
case has found it to be true against accused Raju Kumar
only and not against other persons. The D.I.G., Bettiah,

however, has held the case true against all the accused persons until recovery of the victim girl. He submits that there is no direct or indirect allegation against the present petitioner in commission of offence, in question.

Considering the submission, as above, this application is allowed.

Let the petitioner, Dukhit Das, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, in connection with Kotwa (Bhopatpur) Police Station Case No. 45 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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