

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73078 of 2019

Arising Out of PS. Case No.-245 Year-2019 Thana- CHAKIA District- East Champaran

DIPU BAITHA Son of Wakil Baitha Resident of Village - Parshauni Khem,
P.S.- Chakiya, District - East Champaran.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Umesh Chandra Verma, Advocate. Mr. Abhishek Kumar, Advocate.
For the State	:	Mr. Sanjay Kumar Tiwary, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 16-03-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Chakiya P.S.
Case No.245 of 2019 registered under Sections 302 and 376 of the
Indian Penal Code besides Sections 4/6 of the POCSO Act.

The accusation is that the daughter of the informant, aged
about 16-17 years, in the evening of 01.08.2019, had gone at the field
to cut the grass but she did not return. Later on, the informant came
to know from his co-villagers that her daughter has been kidnapped
by her co-villager Dipu Baitha (petitioner) boarding on the
motorcycle. While the informant searched her daughter whole night
but no trace of her was found and in the next morning, she found the
dead body of her daughter lying behind her house.

Learned counsel appearing on behalf of the petitioner



submits that due to dirty village politics and enmity, the petitioner has falsely been implicated in this case and is in custody since 06.08.2019. On investigation, the police has already submitted the charge-sheet against the petitioner. Further submission is that, in fact, the daughter of the informant committed suicide due to some undisclosed reason at her house and her dead body was kept by the informant and her family members behind her house but to save their skin, the informant has lodged the present case. The said fact has also come in the statements of the witnesses, as detailed in paragraphs-99, 100 and 101 of the case diary.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari, in connection with Chakiya P.S. Case No.245 of 2019.

(Rajendra Kumar Mishra, J)

P.S./-

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