

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21353 of 2021

Arising Out of PS. Case No.-15 Year-2019 Thana- MAHILA P.S District- West Champaran

Dashrath Chaudhary @ Mahato @ Dashrath Mahto Son Of Basant Mahato
Resident Of Village - Karnameya, Lalgah, P.S.- Bettiah (m), District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar- Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2021 Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in connection with Bettiah
Mahila P. S. Case No.15 of 2019 registered for the offences
punishable under Sections 366A of the I.P.C., Sections 3(1)(w-i)
(w-ii)/ 2(va) of the SC/ST (P.O.A.) Act and Sections 12/ 17 of
the POCSO Act.

Learned counsel for the petitioner submits that
petitioner is person with clean antecedent and is in custody since
18.06.2020 and charge-sheet has been submitted in this case.

From bare perusal of the F.I.R., it would manifest that
the informant has alleged that on 05.08.2019, one Laddu Kumar
kidnapped the informant's daughter aged about 14 years on the



pretext of marriage. When the informant reached at the house of the accused, she saw Dashrath Choudhary and his daughter were present there and the accused persons refused to return his daughter. Thereafter the panchayati was held at the door of the sarpanch where the petitioner was also present and it was decided that the victim will stay at the house of Dashrath Chaudhary, but the informant refused to accept this verdict and stated that his daughter is a minor girl. On the pressure of accused Babu Sahab Shukla and his two sons, the victim was sent to the house of accused Dashrath Chaudhary and after two days, the informant came to know that the victim was pregnant and she was aborted.

Learned counsel for the petitioner submits that it was Laddu Kumar, who had committed the occurrence and Dashrath Chaudhary, who is father, have been falsely implicated in this case just because the accused Laddu Kumar and the victim were in love and the victim was not willing to go to the house of her father and the petitioner was not in a position to help the informant on account of adamant attitude of the victim, but the informant without realizing the predicament of the petitioner also implicated in the present case.

Considering the fact that the petitioner is the father of



Laddu Kumar and is in custody since 18.06.2020 and charge-sheet has been submitted in this case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO- cum- Additional Sessions Judge-VI, Bettiah, West Champaran in connection with Bettiah Mahila P. S. Case No.15 of 2019.

(Satyavrat Verma, J)

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