

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26514 of 2023

Arising Out of PS. Case No.-298 Year-2022 Thana- RAMNAGAR District- West Champaran

Bipin Gond @ Bipin Sah S/O Lopichand Gond Resident of Village- Pakargavan Kharpokhara, P.S.- Bagaha, District- West Champaran, At present resident of village- Vrita, Madhubani, P.S.- Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Ramnagar P.S. Case No. 298 of 2022 dated 22.06.2022, instituted for the offence punishable under Sections 364, 365, 120(B)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 20.06.2022 at 05.00 P.M., co-villager, namely, Dhananjay Sah came to the informant's house and took her husband with him. When her husband did not return till 11.00 P.M., informant went to the house of Dhananjay Sah, but she did not find him there. Next day, again the informant went to his house and on asking about her husband, she was abused and ousted from his house by his parents.



Thereafter, on 22.06.2022, Dhananjay Sah with his family fled away from his house. It has been alleged that the husband of the informant has been kidnapped and has been killed.

4. 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 petitioner is not named in the F.I.R. Only on the basis of confessional statement of co-accused Savita Devi, the petitioner has been made accused in this case. The petitioner has been dragged into this case merely on suspicion. Learned counsel for the petitioner submits that during the course of investigation, not a single independent witness has come forward to support allegation levelled against the petitioner. Nothing incriminating article has been recovered from the possession of the petitioner. Learned counsel for the petitioner further submits that two accused persons, namely, Kamechha Sah and Sukhli Devi have been granted bail. Lastly, it has been submitted that the petitioner is in custody since 19.12.2022 having one criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. 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 S.D.J.M, Bagaha, West
Champaran in Ramnagar P.S. Case No. 298 of 2022.

(Khatim Reza, J)

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