

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58597 of 2024

Arising Out of PS. Case No.-247 Year-2024 Thana- SIKARPUR District- West Champaran

Feku Baitha Son of Late Raghu Baitha Resident of Village - Amawa Tola,
Ward No.- 2, P.S.- Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Shikarpur P.S. Case No. 247 of 2024 dated 10.04.2024,
instituted for the offence punishable under Sections 302, 201/34
of the Indian Penal Code.

3. The prosecution case, in short, is that, the marriage
of daughter of the informant was solemnized with petitioner and
she has four children, but the petitioner and his family members
used to assault her daughter for dowry. On 09.04.2024 at about
10 pm, petitioner informed her on mobile that her daughter is
traceless and on 10.04.2024 when she along with her husband
went at the house of her daughter, she was not there. It is further
stated that villagers disclosed that petitioner and his family



members killed her daughters and committed funeral in the night and they have fled away from the house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that daughter of informant solemnized marriage with the petitioner eight years before and four children was born out of their wedlock. It is also submitted that from perusal of FIR, the informant herself stated that her son-in-law informed about the death of her daughter on 09.04.2024 at about 10:00 pm by mobile no. 8292059870. Learned counsel further submitted that there is no eye witness to the alleged occurrence and there is no cogent material available on record to connect the petitioner in the present case. It is next submitted that from bare perusal of paragraph no. 35, 36 and 37 of case diary, it appears that independent witnesses stated before the I.O. under Section 161 Cr.P.C. that the daughter of the informant was a mental patient who herself has committed suicide. Lastly, it has been submitted that petitioner has one criminal case against him.

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, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Shikarpur P.S. Case No. 247 of 2024, he/they shall be released on anticipatory 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 Chief Judicial Magistrate, West Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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