

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39265 of 2025

Arising Out of PS. Case No.-189 Year-2023 Thana- DHANAHA District- West Champaran

Ashok Yadav S/O Satyendra Yadav R/O Village- Semaria, Chakadahawa,
P.S.- Dhanaha, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramawati Devi W/O Ramayan Khatik R/O Village- Devipur, Yogi Tola,
P.S.- Dhanaha, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-09-2025 Heard Mr. Sujeet Kumar, learned counsel for the

petitioner and Mr. Parmanand Kumar, learned APP for the

State.

2. The petitioner has prayed for bail in connection
with Dhanaha P.S. Case No. 189 of 2023 registered for the
offence punishable under Sections 302, 201 read with Section
34 of the Indian Penal Code.

3. The case of the prosecution is that twelve years old
minor daughter of the informant was missing from 12.09.2023
and her dead body was found on 15.09.2023 in the fields.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. He also submits that from perusal of the FIR, it is clear that there is no eye-witness of the said occurrence. The petitioner was apprehended on the basis of suspicion and he has also given his confessional statement. Save and except for the confessional statement, there is nothing against this petitioner. From perusal of the case diary, this Court finds that there is no cogent material available against this petitioner. It has further been submitted that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 07.11.2023.

5. The application for bail is opposed by learned APP for the State and submits that in this case, the police has submitted charge-sheet under Section 302 and 376 of the POCSO Act.

6. While considering the bail, the materials available on the case diary has to be accessed. It is not the charge-sheet which will determine the fate of the petitioner.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Bettiah, West Champaran in connection with Dhanaha P.S. Case No. 189 of 2023.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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