

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4627 of 2015

Arising Out of PS.Case No. -149 Year- 2014 Thana -PIPRA District- SUPAUL

1. Buchani Devi Wife of Indal Sah
2. Jiwachhi Kumar Daughter of Indal Sah
Both Resident of Village -Kataiya Goth, Police Station - Pipra, District -
Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s: Mr. Md.Arif(APP)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 02-07-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 323, 326A, 326B, 341 and 504 /34 of the Indian Penal Code and that what was alleged by the informant against the two petitioners as with regard to burning by them by use of Acid (harpic) get substantiated from the injury report, as contained in Anenxure-3 series, this Court is not inclined to grant privilege of anticipatory bail.

The submission of learned counsel for the petitioners that there has been similar burn injury even faced by the petitioner no. 1 at the hands of the prosecution party, for the time being, does not inspire any confidence because no injury report of the petitioner 1 has been brought on record. In any event, when the

occurrence on account of case and counter case get admitted and the injury sustained by the informant as well as another person at the hands of the petitioners is, *prima facie*, found to be correct, this Court will not find the petitioners entitled for privilege of anticipatory bail only on the ground that they are ladies. If the ladies of both sides are said to have been quarrelling, their intention to cause burn injury by acid will take away element of feminine character.

That being so, the prayer for anticipatory bail to the petitioners is hereby rejected, but then nothing said in this order, however, shall come in the way of the petitioners in surrendering and making prayer for regular bail which, of course, shall be decided on its own merit.

(Mihir Kumar Jha, J)

Sujit/-

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