

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22631 of 2015

Arising Out of PS.Case No. -227 Year- 2014 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Renu Devi wife of Birendra Yadav Resident of Village - Chak Habib,
P.S. - Bibhutipur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. R.P.S.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

6 08-10-2015

Heard Sri Suraj Narain Prasad Sinha, the learned
senior counsel for the petitioner, and the learned Additional Public
Prosecutor.

The petitioner apprehends her arrest in a case under
Section 307, 326A and other sections of the Indian Penal Code.

The informant alleged that the accused persons
assaulted his daughter Anila Devi and grand son, Subhash Yadav
on 01.09.2014. While Medni Rai was going to see his field, Renu
Devi, the petitioner, is alleged to have thrown acid on Medni Rai
and his daughter Ranjan Kumari.

The learned senior counsel for the petitioner submits
that, of course, the informant has stated that petitioner threw acid
on Medni Rai and his daughter, Ranjan Kumari but Ranjan



Kumari stated in her statement before A.S.I. of Pirbahore that Renu Devi and Anju Devi brought a gallon filled with acid and handed over the same to Birendra Rai and thereafter all the three poured acid on Medni Rai and she also received serious burn injuries. It is submitted that Birendra Rai has already been enlarged on bail and there was no allegation against him in the FIR of throwing acid on Medni Rai and Ranjan Kumari. It is submitted that Medni Rai has not yet been examined by the Investigating Officer.

On a perusal of the injury report, which is produced in this court, it appears that Medni Rai and Ranjan Kumari got severe burn injuries on account of throwing of acid. From perusal of the records, it appears that the informant has made very specific allegation that the petitioner threw acid on Medni Rai and Ranjan Kumari however Ranjan Kumari disclosed in her statement before the A.S.I. Pirbahore that Anju Devi and Renu Devi brought acid in a gallon and handed over the same to Birendra Rai and thereafter all the three poured acid on Medni Rai and Ranjan Kumari.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, i.e., Sri A. Kumar, learned Judicial Magistrate, Rosera in Bibhutipur P. S. case No. 227/ 2014, the court below shall consider the prayer for regular bail of the petitioner taking into account the fact that Birendra Rai has already been enlarged on bail.

(Prabhat Kumar Jha, J)

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