

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21975 of 2016

Arising Out of PS.Case No. -416 Year- 2015 Thana -BIHTA District- PATNA

=====

1. Archna Kumari w/o Amit Kumar, resident of Raghapur, P.S.Bihta,
District Patna. Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
Mr. Sunil Kumar Pathak
For the Opposite Party/s : Mr. Matloob Rab (App)
For Informant : Mr. Binod Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-07-2016 Heard learned Sr. Counsel for the petitioner, learned
counsel representing the State and learned counsel for the informant.

The petitioner seeks bail in connection with Bihta P.S.
Case No. 416 of 2015 registered for the offences punishable under
Sections 452, 341, 323, 324, 326(A), 307, 337/34 of the Indian Penal
Code.

Allegedly, the petitioner and another co-accused after
entering into the house of the informant abused and assaulted with brick
and stone on 09.06.2015 and thereafter, on 10.06.2015 the petitioner
poured acid on the face, back and hand of the informant and co-accused
Amit directed to pour total acid kept in gallon.

Submission is of false implication and that there is
contradiction in the statement of the informant recorded under Section
164 Cr.P.C. from the first information report. In statement recorded
under Section 164 Cr.P.C. it is alleged that Amit, at fist, threw acid and

then this petitioner also threw acid. The petitioner is a lady and is suffering in custody since 02.04.2016 having no criminal antecedent.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that acid burn injuries have been found on the person of the informant which is 28 per cent.

In the facts and circumstances stated above, considering the aforesaid contradictions and further the period of custody, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No. 416 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--