

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44913 of 2015

Arising Out of PS.Case No. -238 Year- 2015 Thana -KADAMKUAN District- PATNA

1. Sonika Kumari @ Sonika Sonam @ Pooja Kumari, Daughter of Sri Nawal Kishore Prasad Mahto, Reident of Village:- Jalalpur, P.S:- Pattori, District:- Samastipur, at present Lakshmi Girls Hostel, Yadav Bhawan, Naya Tola, P.S:- Kadamkuan, District:- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

5 25-02-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner, being young girl is languishing in jail custody since 05-06-2015 on the accusation that she gave several dagger blows and also threw acid on the informant, who is also a young girl aged about 20 years.

Contention on behalf of the petitioner is that the alleged occurrence appears to have taken place due to love affairs and as a matter of fact, there was no intention of the petitioner to commit murder of the informant and so, no case under Section-307 of the Indian Penal Code is made out. It is further contended that so far as Section-326 of the Indian Penal Code is concerned;

the petitioner has, sufficiently, been punished by remaining in jail custody for near about six months. Moreover, the investigation has already been competed and the case is pending for trial. It is further contended by him that the detention in jail custody is not warranted only for the purpose of trial because there is nothing on the record to show that the petitioner will abscond.

Considering the above-said facts and circumstances of the case as well as period of detention of the petitioner in jail custody, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kadamkuan P.S. Case No. 238 of 2015 to the satisfaction of Sri Anant Kumar, learned Judicial Magistrate-Ist Class, Patna subject to condition that one of the sureties must be father of the petitioner.

A.K.V./-

(Hemant Kumar Srivastava, J)

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