

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9207 of 2016

Arising Out of PS.Case No. -123 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Ajit Paswan, Son of Late Budhan Paswan, Resident of village - Surha, P.S.
Muffasil, District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ansul

For the Opposite Party : Mr. Renu Kumari(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 31-03-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with
Muffasil P.S. Case No. 123 of 2014, registered under Sections
448 and 326/34 of the Indian Penal Code.

The accusation is that in the night, three persons
named in the F.I.R. entered into the house of the informant Kunti
Devi, when informant made query then all the three persons
started to flee, after throwing acid on the informant. In the
meanwhile, daughter of the informant, namely, Pramila Kumari
caught hold one of the miscreants, but he also succeeded in flee
away after sprinkling acid on her. They were identified as Raju
Giri, Ajit Paswan (Petitioner) and Suresh Mahto. The cause of
occurrence is that co-accused Suresh Mahto had made demand
of 10 bags of stone chips, but the informant refused to give the

same due to that reason the present occurrence has been committed.

Learned counsel appearing on behalf of the petitioner submits that petitioner has no relation with the co-accused Raju Giri and Suresh Mahto and he has falsely been implicated in this case due to dirty village politic. Moreover, injury of Kunti Devi as detailed in paragraph 18 of the case diary in which superficial burn injury 10”X10”, 5”X5” and 2”X2” was found on her face, neck and chest. Further submission is that it would appear from the F.I.R. itself that the occurrence is said to be of night, but no source of identification has been detailed, moreover the occurrence is of 06.05.2014 and the F.I.R. has been lodged on 16.05.2014 and delay has not been explained in the F.I.R. The petitioner is in custody since 10.12.2015.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran Motihari in connection with Muffasil P.S. Case No. 123 of 2014.

(Rajendra Kumar Mishra, J)

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