

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48224 of 2015

Arising Out of PS.Case No. -165 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

- =====
1. Ram Rekha Devi w/o - Baidhyanath Rai
 2. Usha Devi W/o Shambhu Rai
 3. Rita Devi W/o - Rambhu Rai
 4. Pinki Devi W/o Shyam Rai All are residents of vill - Narha Dhab Tola,
P.S. - Majorganj, Dist - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Kumar Jha

For the Opposite Party/s : Mr. Yogendra Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 01-03-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with
Majorganj P.S. Case No. 165/2015 registered for the offences
punishable under Sections 341/323/ 326(A)/307/379/504/506/34 of
the Indian Penal Code.

Diary in this case was called for earlier which has since been
received.

Learned counsel for the petitioners submits that the
allegations against these petitioners are that they actively
participated in occurrence of throwing acid on the informant's side.
Such act by these petitioners, are said to have caused severe burn

injuries on the members of the informant's side. It is submitted on behalf of the petitioners that these petitioners have no role to play and it was only when the informant's side came to their house that these petitioners stepped in and participated in the alleged altercation between the parties. He further submits that throwing of acid by these petitioners, are not such to have caused any grievous injuries to the informant's side who have been injured in the occurrence.

Learned counsel for the informant submits that on account of the act of the present four petitioners, who all are women, they are not entitled to the privilege of anticipatory bail because they have actively participated in the acid throwing incident and many persons were injured who were initially taken to S.K.M.CH., Muzaffarpur and, thereafter, the person so injured on account of the acid throwing incident, were later sent to Patna Medical College and Hospital, Patna where they are undergoing treatment. He submits that the nature of burn is quite severe and have caused burning and disfigurement to the injured persons. It is submitted that acid was thrown on the chest, abdomen and on the tender regions including the eye of one small boy.

Learned counsel for the State after perusing the case diary submits that indeed the nature of injuries caused by throwing of

acid by these women is serious and they are not entitled to be given the privilege of anticipatory bail.

Considering the entire gamut of circumstances and the nature of injuries on the persons and also the materials which has surfaced in the case diary, this Court is not inclined to grant the privilege of anticipatory bail to these petitioners. It is accordingly rejected.

However, in the facts and circumstances of the case, if the petitioners surrender within a period of four weeks, the Court below may consider their case on its own merit without being prejudiced by this order.

(Anjana Mishra, J)

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