

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12106 of 2017

Arising Out of PS.Case No. -287 Year- 2016 Thana -KATEYA District- GOPALGANJ

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1. Chhathu Ram, son of Late Ramdhan Ram,
2. Basanti Devi, wife of Surendra Ram,
3. Arti Kumari, D/o Chhathu Ram, All are resident of Merab Beli, P.S.-
Kataiya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-03-2017 The petitioners are apprehending their arrest in connection with Kataiya P.S. Case No. 287 of 2016, registered for offences punishable under Sections 326(A)/34 Indian Penal Code.

It has been submitted on behalf of the petitioner that though there is allegation against the petitioners of acid attack on the son of the informant, however, the said fact is false as it can be seen from perusal of the impugned order itself that the doctor has found the injury as superficial scalds on upper part of abdomen and 40% burn injury was found caused by liquid or water near about boiling point. It has further been submitted that petitioners have been falsely implicated in this case as earlier to filing of the present case, petitioner no. 1 had filed a case against informant



and others with respect to land dispute, which is pending and just to pressurize the petitioners, the present case has been lodged.

Heard learned A.P.P. also.

Having heard both sides, in view of the submission of learned counsel for the petitioner and also from perusal of the impugned order, the story of acid attack seems to be untrue and further a case has also been filed from petitioner no. 1 with regard to land dispute between the parties, as such, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-XV, Gopalganj in connection with Kataiya P.S. Case No. 287 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the



investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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