

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55847 of 2018

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Subodh Swarnkar S/o Kaleshwar Prasad, R/o Village- Laxmi Nath Nagar,
Refujee Colony, P.S.- Saharsa, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Ashok Kumar Mishra,
Rishit Deo Kumar Singh and
Kalpna Kusum, Advs.

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Saharsa
(Sadar) P.S. Case No. 505 of 2018 registered for offences punishable
under sections 326(A) and 307/34 of the Indian Penal Code.

Allegation as per FIR is that this petitioner and his wife
intercepted the informant and sprinkled acid causing burn injury on
him.

It has been submitted that on account of land dispute,
scuffle took place between the parties for which a counter case vide
Saharsa (Sadar) Police Station Case No.506 of 2018 has also been
lodged against the informant and other 15-20 persons under sections
341, 323, 326 (A), 504, 506/34 of the Indian Penal Code. Further
submission is that in the said occurrence, this petitioner and his wife
sustained acid injury and they were referred to P.M.C.H, Patna for



better treatment where they remained under treatment for about 25 days. The petitioner has clean antecedent and is in custody since 07.05.2018 and so he deserves bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Saharsa (Sadar) P.S. Case No. 505 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

Mahesh/-

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