

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14516 of 2018

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

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1. Shyam Rai, S/o Late Baidya Nath Rai,
 2. Rambhu Rai, S/o Late Baidya Nath Rai, Resident of Village- Narha Dhab Tola, P.S.- Majorganj, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar
For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 10-04-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seeks bail in **Majorganj P.S. Case No. 165 of 2015(S. Tr. No. 359/17)** registered for the offence punishable under Sections 341, 323, 326A, 307, 379, 504 and 506/34 of the Indian Penal Code.

Informant is the wife of the victim who in her fardbeyan has stated that for scrapping grass some altercation took place between the informant and Ram Rekha Devi. When at about 5:00 pm when informant's husband was returning from saw mill after collecting dues of Rs. 70,000/- and reached infront of house of Shyam Rai, accused Rambhu Rai caught him



and abused. On protest being made Shyam Rai took out knife and tried to give blow but in the meantime accused Rambhu Rai poured acid on both the eyes of husband of the informant. On hearing the cry of husband of the informant, the family members rushed and all the four female accused sprinkled acid which caused injuries to the family members of the husband of the informant.

It has been submitted by learned counsel for the petitioners that petitioner no. 1 tried to inflict knife blow but no injury was caused. Petitioner no. 2 threw acid on the face of the husband of the informant. It has been further submitted that there is land dispute between the parties and this case is counter blast of Majorganj P.S. Case No. 127 of 2016. The petitioners have got no criminal antecedent and are in custody since 23.06.2017.

Considering the aforesaid facts and circumstances of the case let the petitioner no. 1-Shyam Rai be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned **F.T.C-II, Sitamarhi** in connection with **Majorganj P.S. Case No. 165 of 2015 (S.Tr. No. 359 of 2017)**.

Considering the fact that there is direct allegation of



throwing acid against the petitioner no. 2-Rambhu Rai, I am not inclined to enlarge him on bail. Hence, the prayer for bail of petitioner no. 2 is hereby rejected.

(S. Kumar, J)

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