

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16373 of 2020

Arising Out of PS. Case No.-9 Year-2019 Thana- KHODAWANDPUR District- Begusarai

1. JASIM ANSARI @ JASIM @ Md. Jasim Ansari @ Md. Jasim Son of Islam Ansari, Resident of Village- Uadaipur, P.S.- Rosera, District- Samastipur.
2. Shamshad Alam @ Md. Shamshad. Son of Jasim Ansari @ Jasim @ Md. Jasim Ansari @ Md Jasim, Resident of Village- Uadaipur, P.S.- Rosera, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinay Kumar Mishra, Adv.
For the State	:	Mr.Dilip Kumar No. 1, A.P.P.
For the Informant	:	Md. Hussamuddin Azad, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 25-08-2020 Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioner, Mr. Dilip Kumar No.1, learned A.P.P. and Md. Hussamuddin Azad, learned counsel for the informant through Video Conferencing.

Petitioners seek bail in Khudawanpur (Chhorahi O.P.)
P.S. Case No.09 of 2019 registered under Sections 452, 324, 326(B), 307 and 34 of the IPC.

The informant alleged that on 14.01.2019 some persons threw acid on the face of his wife Nushrat Khatoon. His wife raised alarm. Hearing the sound of alarm, his daughters Naziya and Mehnaz also came there and hug their mother. Both daughters also got burn injury on their neck and hands. When



the informant came out, he saw 4-5 persons fleeing away in which he identified Jasim Ansari (petitioner no.1), Md. Shamshad Alam (petitioner no.2) and Md. Aftab Alam.

Learned counsel for the petitioners submits that Jasim Ansari is the father and Md. Shamshad is the son. Md. Aftab Alam is the second son of Jasim Ansari. Nobody has seen the petitioners throwing acid on the body of the wife of the informant. Petitioner no.2 was married with the daughter of the informant but petitioner no.2 and his wife were not living happily. There was a panchayati. Both were separated by the decisions of the panches. On account of such, the petitioners have falsely been implicated in the case. It is further submitted that Md. Aftab Alam, whose case stands on the same footing, has already been granted bail by a coordinate bench of this court by order dated 03.07.2019 passed in Cr.Misc.No.29764 of 2019. Petitioners are in custody since 30.10.2019 and 25.10.2019 respectively.

Learned A.P.P. and learned counsel for the informant vehemently opposed the prayer for bail.

Learned counsel for the informant submits that of course the informant did not see who threw acid on the face of the wife of the informant but petitioner no.2 had threatened the



informant and his family members to deface their face on account of separation from his wife, but learned counsel for the informant could not be able to extinguish the case of Md. Aftab Alam with the case of the petitioners. Md. Aftab Alam has already been granted bail by order dated 03.07.2019 by a coordinate bench of this court passed in Cr.Misc.No.29764 of 2019. The case of the petitioners stands on the same footing and the petitioners are in jail for more than ten months.

Having considered the facts aforesaid, the petitioners named above are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(rupees ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Manjhaul, Begusarai in connection with Khudawanpur (Chhorahi O.P.) P.S. Case No.09 of 2019.

(Prabhat Kumar Jha, J)

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