

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15706 of 2020

Arising Out of PS. Case No.-311 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Sonu Kumar (M) aged about 19 years son of Munna Sah Resident of Village -
Usari Bazar, P.S.- Baikunthpur, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 07-07-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Lokesh Kumar Singh, learned counsel for the petitioner and Mr. Nityanand Tiwary, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Baikunthpur P.S. Case No. 311 of 2019 dated 04.12.2019 instituted under Sections 326/307/34 of the Indian Penal Code and 8/12 of the POCSO Act.

4. The allegation against the petitioner and another co-accused is of throwing acid on the minor daughter of the informant.



5. Learned for the petitioner submitted that the parties are neighbours and due to some dispute relating to cleaning of carbon in the electric connection, they have been falsely implicated. Learned counsel for the petitioner submitted that even from the medical report, it transpires that the same was done on the 26.12.2019 whereas the incident is said to have occurred on 04.12.2019. Learned counsel submitted that the petitioner has no other criminal antecedent and is in custody since 05.12.2019.

6. Learned APP, from the case diary, submitted that the victim has suffered acid burn on the face and the doctor has opined that the same is grievous. It was further submitted that the girl was examined on the same day, i.e., 04.12.2019, which is recorded in the report and thus there is no discrepancy in such report. Learned counsel submitted that the petitioner and co-accused had also confessed to the crime. Learned counsel submitted that they had broken the bamboo partition and entered the house with the intention to burn the victim with acid as in the past also they had harassed her and when the informant had gone to complain, they had misbehaved with her.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the



Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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