

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24158 of 2020

Arising Out of PS. Case No.-53 Year-2019 Thana- BAJPATTI District- Sitamarhi

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1. Rijwana Khatoon , aged about 59 years, female, wife of Mumtaj Nadaf
 2. Mumtaj Nadaf @ Mumtaj Nadaff, aged about 62 years, male
 3. Mustaque Nadaf @ Md. Mustaque @ Md. Mustaque Nadaff , aged about 60 years, male
Both son of Late Taslim Nadaf.
All resident of village- Rudauli, Police Station- Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh
For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-11-2020 Heard Mr. Sunil Prasad Singh, learned counsel for the

petitioners and Mrs. Sharda Kumari, learned counsel appearing

for the State through video conferencing.

Petitioners seek regular bail in connection with
Bajpatti P.S. Case No. 53 of 2019 registered for the offence
under Section 147 / 341 / 323 / 324 / 447 / 379 / 307 / 326 K /
354 B / 506 of the I.P.C.

The allegation as per the First Information Report is
that the petitioner no. – 1 threw acid on the informant as a result
of which she sustained burn injuries and petitioner nos. – 2 & 3
assaulted grand daughter of the informant by means of sword.



Learned counsel for the petitioners submits that both the parties are co-sharers and there was previous dispute between them. Learned counsel further submits the injuries caused to the grand- daughter of the informant are simple in nature and all the accused persons are in custody since 04.02.2020.

On the other hand, learned counsel for the State referring to the case diary submits that the injuries caused to the informant by means of acid are serious in nature, however, injuries caused to the grand- daughter of the informant are simple.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the fact that injuries caused to the informant by means of acid are serious, I am not inclined to grant the privilege of regular bail to the petitioner no. – 1 namely, Rijwana Khatoon at this stage.

Accordingly, this application insofar as petitioner no. – 1 is concerned stands rejected.

However, the petitioner no. - 1 may renew her prayer for regular bail after three months from today.

Since the injuries caused to the grand-daughter of the



informant are simple in nature and both the parties are co-sharers, I am inclined to grant the privilege of regular bail to the petitioner nos. – 2 & 3.

Accordingly, let the petitioner nos. – 2 & 3 namely, Mumtaj Nadaf @ Mumtaj Nadaff & Mustaque Nadaf @ Md. Mustaque @ Md. Mustaque Nadaff be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Pupri at Sitamarhi in connection with Bajpatti P.S. Case No. 53 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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