

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25769 of 2021**

Arising Out of PS. Case No.-297 Year-2020 Thana- DHURAIYA District- Banka

Nago Sah, Son Of Late Chetu Sah Resident Of Village - Jakha, P.S.- Banka,
Dist.- Banka.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Mukherjee
For the Opposite Party/s :	Mr. Vibhakar Kumar
	Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-12-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Dhoraiya
P. S. Case No.297 of 2020, instituted for the offences under
Sections 326(A), 323, 504, 506/ 34 of the Indian Penal Code.
The learned counsel for the petitioner submits that charge-sheet
came to be submitted under Sections 326(A), 323, 307, 504,
506/ 34 of the I.P.C.

The learned counsel for the petitioner submits that the
petitioner is in custody since 08.11.2020, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits



that the allegation as alleged in the F.I.R., the informant alleges that petitioner was quarreling with Ashok Yadav and on account of quarrel, the petitioner attacked him with acid, but the acid accidentally hit the nephew of the informant causing severe burn injuries.

The learned counsel for the petitioner submits that from perusal of the F.I.R., it would manifest that the petitioner was having quarrel with Ashok Yadav and whatever happened, it happened accidentally as it was not the intention of the petitioner to cause the injury to nephew of the informant nor to Ashok Yadav.

The learned counsel for the petitioner further submits that petitioner is running a small jewellery shop and keeps chemical for washing the jewellery and it was during the course of scuffle with Ashok Yadav that it might be a possibility that either Ashok Yadav or the petitioner accidentally hit the bottle which was kept for cleaning the jewellery and which accidentally hit the nephew of the informant causing burn injury.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody since 08.11.2020, he is a person with clean antecedent, charge-



sheet has been submitted in this case and the acid attack as alleged was not intentional as pleaded in the supplementary affidavit, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate/ Successor Court, Banka in connection with Dhoraiya P. S. Case No.297 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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