

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33818 of 2021

Arising Out of PS. Case No.-121 Year-2018 Thana- ARARIA District- Araria

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GOPAL SAH Son of Baidyanath Sah Resident of Village- Om Nagar, Ward
No.-8, P.S. and District- Araria 854311 (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 22-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Araria Police Station Case No. 121 of 2018, registered for the
offences punishable under Sections 341/504/326-A of the Indian
Penal Code.

The prosecution case, as per the First Information
Report, is that the petitioner poured acid upon the informant
during Holi festival and when her husband objected, the
petitioner also poured acid upon him through water gun, due to
which both of them sustained burn injuries.

Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and the fact of the matter is that both the parties are neighbours and on the occasion of Holi, the colour was sprinkled on the face of the informant and her husband and due to the reaction of colour, both of them sustained simple burn injury, which would be evident from the injury mentioned in the impugned order. He further submits that the petitioner has got no criminal antecedent and he is in custody since 18.11.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that both the parties are neighbours, the injury caused to the informant and her husband is simple in nature due to chemical burn and the petitioner is in custody since 18.11.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, Gopal Sah, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Araria, in connection with Araria
Police Station Case No. 121 of 2018.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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