

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24871 of 2022

Arising Out of PS. Case No.-355 Year-2020 Thana- SAHARSA SADAR District- Saharsa

Kanhaiya Swarnkar @ Kanhaiya Kumar @ Kanahiya Swarnkar Son Of Bhajo Swarnkar @MANJO Swarnkar @ Manoj Swarnkar Resident Of Mohalla-Sarahi Ward No 05, P.S- And Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-07-2022

The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Saharsa Sadar PS case no. 355 of 2020, corresponding to ST No. 160 of 2021, registered under Section 307 and other allied sections of Indian Penal Code, inasmuch as by an order dated 12.03.2021, passed in Cr. Misc. no. 36147 of 2020, the petitioner herein was permitted to withdraw the petition filed by him for grant of bail with liberty to renew the prayer for bail after framing of charges.

The allegation is regarding the petitioner herein and other accused persons having thrown acid on the victim lady, resulting in her receiving certain injuries.

The learned counsel for the petitioner has submitted that the charges have already been framed in the present case on 19.08.2021. It is also submitted that general and omnibus allegations have been levelled against the petitioner herein as well as against other co-accused persons, of having thrown acid on the victim girl, however, the



fact remains that the petitioner is languishing in custody since 26.04.2020, hence a sympathetic view be taken qua the petitioner herein.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the charges have already been framed by the learned trial court qua the petitioner herein and the petitioner has already suffered incarceration for more than a year and a half, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge II, Saharsa in connection with Saharsa Sadar PS case no. 355 of 2020.

(Mohit Kumar Shah, J)

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