

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61892 of 2021**

Arising Out of PS. Case No.-389 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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SHAMBHU BHAGAT Son of Luttan Bhagat Resident of Village - Amwa
Mauje, P.S.- Town, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Adv.
For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 16-05-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the

offence under Sections 504, 326(A), 307, 34 and 506 of the

Indian Penal Code.

The petitioner along with his companion are alleged to

have sprinkled acid on the informant and his family members

causing burn injury to them.

Learned counsel appearing for the petitioner submits

that the petitioner, who is of clean antecedent, is innocent and

has falsely been implicated in this case. He submits that the



petitioner and the informant are co-villagers and they are having land dispute and on account of the same, the informant has named the petitioner in this case. He further submits that according to the F.I.R., the petitioner is said to have thrown acid upon the informant, but the injury report reflects that the informant sustained simple injury. He further submits that the allegation of throwing acid upon the nephew of the informant Ujjawal Kumar, who is stated to have sustained severe burnt injury, is attributed to other female co-accused, namely, Chandrawati Devi and Shanti Devi. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 19.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Gopalganj Town P.S. Case No. 389 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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