

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69904 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- MAHILA P.S. District- Bhojpur

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Amarjeet Kumar @ Amarjeet S/O Late Ashok Ram R/O Village- Basantpur
(Bara Basantpur), P.S- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Ara Mahila P.S. Case No. 47 of 2022 registered under sections 341, 326A, 504, 354, 354D of the Indian Penal Code and Sections 8 and 12 of the POCSO Act and later on charge sheet has been filed under Sections 341, 326A, 307, 354, 354D, 504 and 120B.

Allegations against the petitioner are that he came to the house of the informant at night and threw the acid on the body of the informant along with his cousin brother, due to which they sustained injuries. It is further alleged that the petitioner outraged the modesty of the informant and threatened her also.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. It is further submitted that there is no eye witness of throwing acid upon the informant along with her brother and also as per prosecution case, the informant only saw while the petitioner was fleeing from the place of occurrence. It is also submitted that there is no source of light at that time i.e., around 1.30AM at night. Further, from perusal of the case diary, it is apparent that the statement of the informant which has been annexed with the case diary that no any treatment of her eyes has been done by the doctor and her eye became cured from a single eye drop taken from a medical shop. As per injury report, there is burn injuries on her eye over face, neck and upper forearm but doctor not opined about the nature of injury sustained by the informant. It is further submitted that there is no complaint against the petitioner that he committed any physical wrong with the informant. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 30.05.2022.

The application for bail is opposed by learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Ara Mahila P.S. Case No. 47 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VII District- Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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