

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72256 of 2022

Arising Out of PS. Case No.-415 Year-2022 Thana- SIKARPUR District- West Champaran

KASHIM MIYAN Son of Late Ajij Mian R/V- Bargajwa, P.S- Shikarpur,
Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-04-2023 Heard learned counsel appearing on behalf of the parties.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Shikarpur P.S. Case No. 415 of 2022 registered for the offence under Sections 452, 307 and 326(A) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 20.05.2022.

The allegation against the petitioner is of acid attack upon the informant while she was sleeping in her home in intervening night of 19.05.2022 at about 11:30 PM due to enmities arises out of quarrel of childrens.

Learned counsel appearing on behalf of the petitioner



submitted that out of neighbourhood disputes and differences arises out of quarrel of childrens, the petitioner has been implicated falsely in the present case. It is submitted that injury report of the informant is stating that it is the case of suspected case of acid burn, creating a serious doubt upon entire prosecution particularly in the background of admitted enmity between the parties. It is also pointed out that injury is simple in nature. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of injury report suggesting occurrence as suspected case of acid burn coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Shikarpur P.S. Case No. 415 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 learned Chief Judicial



Magistrate, Bettiah, West Champaran/concerned court, subject
to the following conditions:

“(i)That petitioner shall not
involve in the similar nature of offence till
the conclusion of trial, failing which, the
State shall be at liberty to move before the
Trial Court itself for the cancellation of bail
bond of the petitioner.

(ii) That one of the bailors shall be
deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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