

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73617 of 2022

Arising Out of PS. Case No.-252 Year-2022 Thana- RAJIVNAGAR District- Patna

Sanjeet Kumar, Son of Lakhendra Prasad @ Lakhendra Rai, Resident of Naya Panapur Nav Diyari, P.S. - Akilpur, District - Patna At Present Digha Ghat, Post Office Road, Harijan Colony, P.S. - Digha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-03-2023 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Rajeev Nagar P.S. Case No. 252/2022, registered for the offence under Sections 341, 326(B), 504, 506/34 of the I.P.C.

The accused/petitioner is named in the F.I.R. and is in custody since 29.05.2022.

The allegation against the petitioner is to cause Acid attack upon the informant alongwith other co-accused persons. It is further alleged that a life threatening call was also made to her from mobile no. 7416268193, prior to this occurrence.



Learned counsel appearing on behalf of the petitioner submitted that petitioner falsely implicated in the present case out of previous pending litigations/enmities. It is submitted that wife of petitioner was attacked in the year 2021 by informant and her husband while she was cooking and for that occurrence, a case was registered as Rajeev Nagar P.S. Case No. 156 of 2021 and to counter the said case, almost with similar allegations Rajeev Nagar P.S. Case No. 156 of 2021 was lodged by informant alleging petitioner, his wife and others. It is further submitted that in the background of same previous enmities, the present false implication was raised, where allegation to attack with Acid is not available against this petitioner as per the face of FIR itself. It is further pointed out that the mobile number which is mentioned in FIR is belongs to one Tufan Kumar and not to this petitioner. While concluding the argument, it is submitted that petitioner found involved in one case, where informant is the same and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of attack with Acid is not available against



this petitioner as per face of FIR, where previous enmities are admitted between the parties, coupled with fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rajeev Nagar P.S. Case No. 252/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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