

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11881 of 2024

Arising Out of PS. Case No.-208 Year-2023 Thana- PUNAURA District- Sitamarhi

Ranjeet Mahto Son of Sonelal Mahto Resident of Vill.-Punaura Nuniya Tola
Ward No.6, P.S.-Punaura, Distt. Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 26-04-2024 Heard Mr. Anil Kumar Rai, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Punaura P.S. Case No. 208 of 2023 for the offence punishable under Sections 341, 323, 307, 326A, 326, 326B, 34 of the Indian Penal Code lodged on 19.8.2023 by the informant, Dinesh Mahto.

3. As per the prosecution story, the allegation is that due to quarrel between the children, the elders came in and this petitioner alongwith her husband caught hold of son of the informant whereafter Ranjeet Mahto poured acid. He was rushed to the Sadar Hospital, Sitamarhi and from there to PMCH, Patna. Accordingly, the FIR.

4. Learned counsel for the petitioner concedes that



allegation against this petitioner is of throwing acide on the 10 years old child, he submits that in scuffle, the child suffered acid burn and he had no intention to throw it on his person. Further, as per the injury report, 16 % burn is there. He repents for the same, will be facing the trial diligently and the last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of the concerned Court to be handed over to the informant after checking the credential.

5. Learned APP opposes the prayer stating that in a minor issue of fight between the children, the seniors came in and allegation against this petitioner is of throwing the acid causing burn injuries to the ten years minor child who received 16 % burn injury.

6. Taking into account that the fact that he has remained in custody since 22.8.2023 (para-4 of the petition), do not have criminal antecedent, FIR lodged, will be facing the trial, this Court is inclined to grant him the privilege of bail subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner(s) to be paid by Demand



Draft of local SBI to be submitted to the trial Court and handed over to the informant after checking credentials.

5. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Punaura P.S. Case No. 208 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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