

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56909 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- PIRI BAZAR District- Lakhisarai

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POONAM DEVI WIFE OF SANJAY KUMAR YADAV RESIDENT OF
VILLAGE - LOSHGhani, P.S. - PIRI BAZAR, DISTRICT - LAKHISARAI
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 25-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Piri Bazar P.S. Case No. 45 of 2024 for the offence punishable under sections 307, 326A, 506 and 34 of the Indian Penal Code lodged on 11.04.2024 by the informant, Subhash Yadav.

3. As per the prosecution story, the informant alleged that while he was away and his wife was alone in the house, accused persons who are his family members inasmuch as Sanjay Yadav, his own brother came inside and on the order of his wife (the petitioner herein), Sanjay Yadav poured acid on the body of his wife causing severe injuries to her. The further allegation is of threatening and having caught hold of the hand and legs by the accused persons including the petitioner. Accordingly, the FIR.

4. In this case, Coordinate Bench had called for the case diary and the injury report and as per the report dated 13.04.2024 by the Community Health Centre, Surajgraha,



Lakhisarai, not only the injury has been found to be grievous in nature caused by acid on face, it has also been recorded that it has led to permanent disfigurement of the face.

5. Learned counsel for the petitioner submits that so far as the allegation of throwing acid is concerned, the same is attributed to Sanjay Yadav, this petitioner is his wife, has remained in custody since 19.04.2024 (para 14 of the petition), do have criminal antecedent.

6. Learned APP opposes the prayer for bail submitting that the role has also been assigned to her that after giving the order, she also caught hold of the legs.

7. It is really unfortunate that both the informant and the main accused are own brothers and due to the petty land disputes/property, they reached a stage where due to the throwing of the acid, the wife of one of the brothers has suffered permanent disfigurement of face. No word can be used to condemn the said action. However, the main allegation is against Sanjay Yadav, this petitioner is his wife, allegation is of order giver and as also having caught hold of the legs, FIR lodged, she will be facing the trial, has remained in custody since 19.04.2024 and do not have criminal antecedent, this Court is inclined to extend her the privilege of bail with



conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate Lakhisarai, in connection with Piri Bazar P.S. Case No. 45 of 2024 subject to the following conditions:

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

(iv) 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)

Vijay Singh/-

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