

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64588 of 2024

Arising Out of PS. Case No.-418 Year-2022 Thana- ARA NAGAR District- Bhojpur

Serajudin Ansari @ Sirajuddin Ansari Son of Late Halim Ansari R/o Village-
Bhalahimpur, P.S.- Ara Nagar, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Tetara Kumari, Advocate

For the State : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 11-12-2024 This case has been filed through the Bihar State
Legal Services Authority assigning the case to Mrs. Tetara
Kumari, Advocate.

2. Heard Mrs. Tetara Kumari learned counsel for the
petitioner and Mr. Aditya Narayan Singh.1 learned APP for the
State.

3. The petitioner is in judicial custody in connection
with S.Tr. No. 419 of 2022 arising out of Ara Town P.S. Case No.
418 of 2022 for the offences punishable under Sections 307 and
326(a) of the Indian Penal Code, lodged on 11.05.2022 by the
informant, Shabnam Praveen.

4. As per the prosecution story, the lady who is sister-in-
law of the petitioner alleged that the petitioner due to enmity in the
absence of her husband came with a jug, threw acid causing
serious injury on his face and eyes, fled away. She was rushed to
the hospital whereafter the F.I.R.



5. Learned counsel for the petitioner with the help of the learned Sessions Judge order as also the case diary submits that actually it was boiling water and not the acid, the petitioner was not in a fit mental frame, got enraged and allegation is that he threw something caused injury on the face and eyes of the informant. However, the fact remains that he being in custody since 14.05.2022, the trial has not been concluded. The last submission is that the charges have been framed and if granted relief, he shall be diligently appearing in trial without fail.

6. Mr. Aditya Narayan Singh, learned APP opposes the prayer for bail submitting that the injuries have been found to be grievous.

7. Taking into account the aforesaid facts as also the submissions put forward by the parties coupled with fact that the petitioner is in custody since 14.05.2022 (for more than two and a half years), charges stands framed, the case has come through the Bihar State Legal Services Authority, he has undertaken to diligently appearing in trial, this Court is inclined to extend him the privilege of bail.

8. 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 Additional Sessions Judge-XIII, Bhojpur at Ara in connection with S.Tr. No. 419 of



2022 arising out of Ara Town P.S. Case No. 418 of 2022, 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 *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court 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 and if the petitioner tries to contact either the informant and/or any of his family members, the prosecution shall 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 bail bonds.

(Rajiv Roy, J)

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