

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71096 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- Kumarbagh District- West Champaran

1. Ramadhar Sah Son of Late Shivnandan Sah Resident of village - Rampurwa, Ward No.- 04, P.S.- Kumarbag, District - West Champaran.
2. Sunaina Devi Wife of Sri Ramadhar Sah Resident of village - Rampurwa, Ward No.- 04, P.S.- Kumarbag, District - West Champaran.
3. Shyambabu Kumar Son of Sri Ramadhar Sah Resident of village - Rampurwa, Ward No.- 04, P.S.- Kumarbag, District - West Champaran.
4. Raushan Kumar Son of Sri Ramadhar Sah Resident of village - Rampurwa, Ward No.- 04, P.S.- Kumarbag, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-10-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Kumarbag PS case no. 03 of 2024, disclosing offences punishable under Sections 341, 323, 326-A, 504/34 of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that petitioner no. 1 and his sons took a sum of Rs. 1,80,000/- from the informant and when the informant demanded his money back, petitioners told that they will



arrange money from the wife of Khedu Sah. It has further been alleged that petitioners called the informant from the mobile of Khedu Sah and asked him to come at the store of Khedu Sah. When the informant went there, in the meanwhile, petitioner no. 2 came with bottle of acid in her hand and thrown it on the informant, due to which, informant has sustained burn injury.

4. Learned Counsel for the petitioners submits that a false case has been registered against the petitioners due to the fact that on 06.03.2024, informant and others arrived at the door of the petitioners and threw acid, due to which, petitioners no. 1 and 2 sustained burn injuries and were admitted in Government Medical College and Hospital, Bettiah for treatment. During course of the aforesaid incident, some sprinkles of acid also spread near the thigh and other portion of the body of the informant. The petitioners filed Kumarbag PS case no. 04 of 2023 and thereafter, in order to save his skin, informant has lodged the present case on 09.03.2024 without mentioning date and time of occurrence. Referring to Annexure 2 i.e. the injury report, learned counsel submits that injury sustained by the informant is simple in nature and he has sustained only 5% burn injuries at his thigh, which is not the vital part of the body.

5. Having regard to the submissions made on behalf



of the parties and taking into consideration the fact that Kumarbag PS Case no. 04 of 2023 was lodged by the petitioners' side and in retaliation, present F.I.R. has been lodged and injury caused to the informant is simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Kumarbag PS case no. 03 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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