

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84077 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- KISHANGANJ District- Kishanganj

Santosh Kumar Ram Son of Gyani Ram Resident of Mohalla - Ravidas Colony, Uttar Thakurbari, Ward No.- 07, P.S.- Kishanganj, District – Kishanganj Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-12-2024 Heard Mr. Radha Mohan Singh, learned counsel for the petitioner and Mr Ram Bilash Roy Raman, learned APP.

2. The petitioner is in judicial custody in connection with Sessions Trial No. 172 of 2024 arising out of Kishanganj P.S. Case No. 155 of 2024 for the offences punishable under Sections 341, 307, 325, 326A, 354 and 34 of the IPC, lodged on 24.07.2024 by the informant, Mona Devi.

3. As per the prosecution story, the informant, the wife of the injured alleged that the petitioner who is her neighbour used to call and make indecent proposals with further threatening to face dire consequences if his overtures are not accepted. This led to the complaint before the police by her husband on 31.07.2024. Allegation is that, infuriated by that, he along with his friend came and threw acid on her husband causing serious injuries causing face/eyes. He was rushed to MGM Medical College but later shifted to Siliguri for better treatment. This led to the FIR/arrest.

4. Learned counsel for the petitioner submits that



already the charge-sheet has been submitted in the case and he is in custody since 15.05.2024 (para-4 of the petition) but the trial is not moving at its pace. Further the husband in his deposition has not identified the petitioner.

5. Learned APP, on the other hand, opposes the prayer submitting that not only the petitioner has five criminal antecedent, due to indecent proposal being made by him, earlier a complaint was already on record. Infuriated by that, he took extreme steps of throwing acid on the face of the informant's husband causing serious injuries and he was finally rushed to the Siliguri Hospital for better treatment and as such, he does not deserve bail.

6. Taking into account the aforesaid facts as also the allegation that has come on record, as per the petitioner's contention, the trial is already on, serious injuries have been inflicted on the face of the husband of the informant by the acid attack, in that background, it would be appropriate that he faces trial.

7. Accordingly, the bail application stands rejected.

(Rajiv Roy, J)

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