

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6763 of 2025

Arising Out of PS. Case No.-118 Year-2023 Thana- BAHADURGANJ District- Kishanganj

1. Sanjay Lal Harijan @ Sanjay Kumar Harijan S/o Late Vijan Lal Harijan @ Late Birjulal Harijan Resident of village- Salal Nihalgarh, P.S.- Bahadurganj, District - Kishanganj
2. Babu Lal Harijan @ Babulal S/o Sanjay Lal Harijan Resident of village- Salal Nihalgarh, P.S.- Bahadurganj, District - Kishanganj
3. Geeta Devi W/o Sanjay Lal Harijan Resident of village- Salal Nihalgarh, P.S.- Bahadurganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the State : Mr. Asha Kumari, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 326, 504, 506, 34 of the Indian Penal Code.

3. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.1, namely, Sanjay Lal Harijan, with a liberty to surrender before the learned Court below within six weeks and seek regular bail.

4. Permission is granted with the aforesaid liberty to



petitioner no.1 to approach the learned Court below for grant of regular bail which would be considered on its merits in accordance with law without being prejudiced by this withdrawal.

5. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.1 only.

6. Now, this application survives for petitioner nos. 2 & 3.

7. The allegation in the FIR is that while a dispute was taking place between the petitioners and the informant, a 13 year old daughter of the informant came out of her house, whereafter the petitioners dragged both the informant and his daughter into their house and threw hot water mixed with acid upon their bodies due to which their bodies were burnt at some places.

8. Learned counsel for the petitioners submits that the allegations levelled in the FIR are not correct and as a matter of fact, there was no incident of throwing of any acid upon anyone during the course of a dispute taking place between the parties. The materials collected during the course of investigation would go to show that the number of witnesses were examined and the statement of the victim has also been recorded and even according to their statements, the



allegation is only of throwing some hot water and not acid and that too the same is specific on petitioner no.1 whose application has been withdrawn. Moreover, the injury report of the victim daughter also shows that she has suffered first degree burns on the right shoulder and the right arm for which few medicines were given and dressing was also done and the nature of the injury has been indicated to be simple caused by hot water.

9. Learned APP for the State opposes the prayer for anticipatory bail.

10. Considering the facts and circumstances of the case as well as the nature of the injury sustained by the injured, I am inclined to extend the privilege of anticipatory bail to the petitioner nos. 2 & 3, who are son and wife of petitioner no.1, respectively. Let the petitioner nos. 2 & 3, above named, who have no criminal antecedent, 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, Kishanganj in connection with Bahadurganj P.S. Case No. 118 of 2023, subject to the condition as laid down under Section 438 (2) of



the Cr.P.C/ 482 (2) of the BNSS, 2023.

11. Accordingly, the application stands partly allowed.

(Soni Shrivastava, J)

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