

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13112 of 2025

Arising Out of PS. Case No.-217 Year-2024 Thana- TURKI KHARARU District-
Muzaffarpur

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1. Ambu Kumar Son of Late Ramanand Thakur @ Ramanand Resident of village - Madhaul, P.S.- Turki, District - Muzaffarpur.
 2. Arun Kumar @ Arun Thakur Son of Late Ramanand Thakur @ Ramanand Resident of village - Madhaul, P.S.- Turki, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 07-08-2025 Heard learned counsel appearing on behalf of the

petitioners, learned APP appearing on behalf of the State and

learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in connection with Turki P.S.

Case No. 217 of 2024 registered for the offence under Sections
126(2), 115(2), 329(3), 124(1), 109, 352, 3(5) of the Bharatiya

Nyay Sanhita.

3. Both accused/petitioners are named in the F.I.R. and

are in custody since 09.11.2024.

4. The allegation against both above named petitioners

is to cause grievous injuries by using acid upon informant and

other family members, where the occurrence is said to be arising

out of neighbourhood disputes and differences.



5. Learned counsel appearing on behalf of the petitioners submitted that the occurrence was a free fight in nature, where acid was thrown by both the parties, causing injuries. It is pointed out that for the same set of occurrence, petitioners's side also lodged a case, which was registered as Turki P.S. Case No. 218 of 2024 on the same very day. It is pointed out that the petitioners's side also received acid burn injury during the occurrence, which was thrown by the informant's side, but the difference is only that the alleged acid thrown by petitioners's side, caused grievous injuries. It is submitted that as the occurrence was a free fight in nature, it can be said safely that petitioners were not under intention to cause death. It is pointed out by learned counsel that both parties are full brothers and the occurrence took place due to neighbourhood disputes and differences. While concluding the argument, it is submitted that the investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel Mr. Shiv Kumar Prabhakar, appearing on behalf of the informant, while opposing the prayer of bail submitted that informant and his family members received grievous injuries due to acid burns as per



the injury report.

7. Considering the aforesaid facts and circumstances and by taking note of fact as the occurrence was free fight in nature, where both parties received acid burn injuries, coupled with the fact that investigation of this case is already completed, where petitioners are in custody since 09.11.2024, accordingly, both above named petitioners, are directed to be released on bail in connection with Turki P.S. Case No. 217 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-2nd, West Muzaffarpur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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