

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40682 of 2025

Arising Out of PS. Case No.-218 Year-2023 Thana- BHAWANIPUR District- Purnia

1. Amit Kumar Son of Vilash Mandal Resident of Village -Madhawapur, PS- Bhawanipur (Baliya OP), Distt.- Purnea
2. Chhotan Kumar Mandal @ Chhotu @ Chhotu Kumar Son of Babulal mandal Resident of Village -Madhawapur, PS- Bhawanipur (Baliya OP), Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajit Ranjan Kumar, Advocate
For the State	:	Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-09-2025 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 364 and 367 of the Indian Penal Code and Section 12 of the Children Trafficking Act.

3. As per prosecution case, on 07.06.2023 at about 2 PM, son of informant went to coaching with these petitioners but did not return. On 09.06.2023 at about 3 PM, one of the co-villager informed the informant that his son is hospitalized in serious condition with burn injuries. Later on, the victim disclosed that all the F.I.R. named accused persons, including these petitioners, made him unconscious by putting some



intoxicant in his mouth with the help of handkerchief and were planning to sell his kidney for which they poured acid on his body and also assaulted him with sharp weapons.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. The present complaint case was lodged after inordinate delay of 1 month and 14 day after the discharge of the victim and there is no plausible explanation for the same. Petitioners have falsely been implicated in this case with ulterior motive. Charge-sheet has already been submitted and petitioners are in custody since 02.04.2025. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they, along with other accused persons, made the victim unconscious, poured acid on his body and were planning to sell his kidney. The victim in his statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case. Doctor has opined that injuries sustained by the injured, which are acid burn on face, chest and arms, to be grievous in nature.

6. Considering the facts and circumstances of the



case, specific and direct nature of accusation, statement of victim recorded under Section 164 of the Cr.P.C. and nature of injuries, the prayer for grant of bail to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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