

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42375 of 2025

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

SANTOSH KUMAR RAM S/o GYANI RAM R/O MOH-RAVIDAS COLONY, UTTAR THAKURBARI, WARD NO-07, PO-KISHANGANJ, PS-KISHANGANJ, DIST-KISHANGANJ

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mona Devi w/o- Ajay Sah @ Tapai Sah, Tati Basti ward No.-06, Gajarnath Chook, P.S.-Kishanganj, Distt.-Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Singh, Advocate
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 13-02-2026 Heard the parties.

2. The petitioner is in judicial custody in connection with Sessions Trial No. 172 of 2024 arising out of Kishanganj PS. 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 with the help of supplementary affidavit submits that some of the witnesses who appeared have not recognized the petitioner as the person who threw the acid. The submission is that though the informant and her husband (injured) have not been examined, the consistent view is that the other witnesses have not seen the face of the accused. Further, if granted bail, he shall be diligently appearing in trial without fail and undertakes not to indulge in any criminal activity.

5. Learned APP opposes the prayer submitting that not only the informant has made allegation against the petitioner, he has number of criminal antecedent which shows his criminal attitude.

6. Taking into account the submissions of the parties as also the undertaking that the petitioner has given that he shall not indulge in any criminal activity and shall be diligently appearing in trial, he is in custody since 15.05.2024, the trial has still not concluded, in that background, this Court is inclined to



extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Sessions Trial No. 172 of 2024 arising out of Kishanganj PS. Case No. 155 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight till conclusion of the trial to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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