

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15780 of 2016

Arising Out of PS.Case No. -128 Year- 2015 Thana -ISHOPUR District- BHAGALPUR

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Dimpal Verma @ Ravi Ranjan Prasad Son of Gopal Prasad @ Gopal Krishna Prasad Resident of Village - Shankarpur, P.S.- Mehrama Town & District – Godda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Advocate

For the Opposite Party/s : Mr. M.K.Nirala(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Ishipur Barahat P.S. Case No.128 of 2015 for the offences instituted under Sections 323, 324, 341, 342, 353, 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant happens to be a SAP Constable No.7243 and on the occasion of Durga Puja & Moharam 2015, the informant along with other constables was deployed in Barahat Bazar for traffic and control of crime. It is further alleged that at about 17.45 P.M. one white colour Scorpio bearing no.JH18D-3089 took its way on the wrong side and the driver of the said car was smoking. It is further



alleged that when the informant asked the said driver to shift the car the driver refused with a slang. It is further alleged that the driver was drunk and also hurled abuses. It is further alleged that when the informant again asked the driver to shift the car and not to abuse, the said driver started physically assaulting the informant in which he was also assisted by about 8 to 10 friends. It is further alleged that the driver and its friends were threatening the informant of bad consequences and in course of physical skirmishes, the informant also received injury in his finger.

It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. For a petty reason, in respect to parking of the vehicle, some hot exchange of words took place between the petitioner and the informant. For the said reason, he has been made accused in the present case. The allegation made in the F.I.R. is denied by the petitioner except for offence under Section 353 I.P.C., all other offences are bailable.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail

on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Shri Mukesh Kumar, Judicial Magistrate 1st Class, Bhagalpur, in connection with Ishipur Barahat P.S. Case No.128 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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