

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21499 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -PATLIPUTRA District- PATNA

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Ashok Kumar Verma, son of Late Krishna Kant Kumar Vema, resident of Flat No.503, Manav Enclave, Pataliputra Colony, P.S.- Pataliputra, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shakti Suman Kumar, Advocate.

For the Opposite Party : Mr. Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Patliputra P.S. Case No. 15 of 2017 for the offences instituted under Sections 337, 338, 323 and 308 of the IPC.

The prosecution story, in brief, is that on 09.12.2016 at 1.30 P.M., while the informant was watering flowers in her Balcony of Flat No. 103, Manav Enclave, Patliputra, Patna, a flower pot fell on her head from Flat No. 503 and as a result of which, she sustained injury in her head as blood came out of her head and she became unconscious. It is further alleged that she was taken to Ruban Hospital and later on shifted to Paras Hospital and she is not able to walk. It is also alleged that in past also



flower pot had fallen in her Balcony from Flat No. 503 to which she had protested.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. The allegation made in the FIR is denied. There is no grievous injury caused to the informant. The petitioner is aged 68 years old.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Patliputra P.S. Case No. 15/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XII, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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