

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.628 of 2017

Arising Out of PS.Case No. -3454 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Ram Parwesh Pandey, Son of Late Hirdaya Narayan Pandey, at presently posted on the post of A.S.I. Police Station Thawe, P.S.- Thawe, District-Gopalganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Ghanshyam Prasad, Son of Ram Chander Paswan, resident of Village-Bedasi Tola, P.S.- Thawe, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Vijay Shankar Shrivastava, Advocate.

For the Opposite Party : Mr. Ajay Kumar-1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Sessions Trial No. 2126/2016, arising out of Complaint Case No. 3454/2015 for the offences instituted under Sections 147, 323, 308, 386 and 379/34 of the IPC in which cognizance has been taken under Sections 323 and 379 of the IPC.

The prosecution story, in brief, is that the petitioner and others who are the police personnels took meal from the hotel of the complainant. On demand being made, co-accused Golu assaulted the informant with Lathi and Danda. Other accused



persons also assaulted him with Lathi. Thereafter the accused persons brought the complainant at the police station where he was also brutally assaulted and also taken signature on four to five plain papers and threatened him that if he will made any complain then he would be implicated in a false case. This petitioner took money cash of Rs. 40,000/- from the pocket of the complainant. Co-accused Golu took golden chain worth Rs. 42,000/- of the complainant.

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 falsely been implicated in the present case due to local politics. The petitioner is the police personnel posted at the place of occurrence.

On behalf of the State, it has been submitted that the petitioner is named in the complaint case.

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 Trial No. 2126/2016, arising out of Complaint Case No. 3454/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned C.J.M., Gopalganj,
subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

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(Sudhir Singh, J)

