

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1264 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- SIKARPUR District- West Champaran

BIPIN SRIVASTAV @ BIPIN PRASAD, Son of LATE VISHWANATH
SRIVASTAV Resident of Village - Sisai, Police Station - Shikarpur, District -
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Kumar Dwivedy

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-07-2021 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Shikarpur P. S. Case No. 268 of 2020, dated 25.05.2020, instituted for the offences under Sections 323, 341, 353, 188, 504, 506 and 34 of the Indian Penal Code and Section 51 of the Disaster Management Act, 2005..

The employees of a government hospital have alleged that while they were on duty, the petitioner and his associates came in a drunken state and misbehaved



with the staff of the hospital as also with the senior doctors.

The learned counsel for the petitioner has submitted that an absolutely false case has been instituted against him. He is the Clerk of an Advocate of Civil Court. One of his neighbours, namely, Akhilesh Patel had got his son administered polio drops. Because of the over dose of the medicines, the son of aforesaid Akhilesh Patel became very serious. When he contacted the petitioner in his capacity as his neighbour, the petitioner has said to have advised him to take up the matter to higher functionaries including senior doctors and also facilitated the reporting of this matter to the local police as also in the local media. Vexed by this, the present case has been lodged.

The learned counsel for the petitioner has also drawn the attention of this Court to the fact that in the F.I.R., it has been stated that when the occurrence took place, one Durga Sah was getting treatment in the



hospital. Aforesaid Durga Sah has sworn an affidavit that no such occurrence as narrated in the F.I.R. ever took place.

The learned counsel for the petitioner, therefore, has submitted that only with a view to silence the petitioner from raising grievance against the functioning of the Narkatiaganj Government Hospital, he has been made accused in this case.

Regard being had to the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, District – West Champaran, in connection with Shikarpur P. S. Case No. 268 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



The application stands allowed.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

