

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41635 of 2021

Arising Out of PS. Case No.-70 Year-2017 Thana- BISHUNPUR District- Darbhanga

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Kumar Vimal Prasad Son of Munsii Narayan Yadav the then district Fisheries Officer, Darbhanga, at present District Fisheries Officer, Samastipur, P.S. and District- samastipur, Permanently resident of Village- Gobrahi, P.S.- Jainagar, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Adv.

Mr. Rakesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-04-2022 Heard learned senior counsel for the petitioner and learned Additional Public Prosecutor for the State through the virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 384, 406, 409, 420 and 504 of the Indian Penal Code.

Prosecution case is that when the informant went at the residence of the accused persons for collection of revenue,



they along with one Ranjeet Sahni not only denied the payment but also abused him. It is further alleged that the co-accused persons told the informant that the petitioner advised them for not making payment of the past dues of revenue and allowed them for fishing while saying that he would see as to who stop from fishing.

It is submitted by learned senior counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that the instant FIR is the result of internal dispute of cooperative society which is evident from the counter case bearing Bishanpur P.S. Case No. 71 of 2017 lodged by the accused of this case against the informant. He submits that similarly situated co-accused persons have been granted bail by the learned court below itself. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond



of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bishanpur P.S. Case No. 70 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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