

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15018 of 2016

Arising Out of PS.Case No. -718 Year- 2015 Thana -NAWADA District- NAWADA

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Krishna Pandit @ Krishnandan Pandit son of late Raghunandan Pandit
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. J.N. Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-04-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 448, 379 and 504/34 of the Indian Penal Code.

The prosecution case is that on 11.11.2015 at 5 PM all the accused persons including the petitioner came at the shop of the informant and started assaulting the abusing the informant and when two sisters of the informant Sharda Kumari and Priyanka Kumari came to rescue, they were also assaulted. It is also alleged that co-accused Rajesh Kumar assaulted and pressed the neck of the informed and also snatched ₹10,000/-. It is alleged against the petitioner that he assaulted the sister of the informant Priyanka Kumari with iron rod causing injury on her

eye.

It is submitted by learned counsel for the petitioner that the petitioner is alleged to have made assault to Priyanka Kumari but no injury report of Priyanka is on record, statement to that effect has been made in para 12 of the petition, relevant portion of the same reads as follows:-

“That.....no injury caused to Priyanka Kumar..”

It is further submitted that there is counter version of the occurrence also. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for four months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada in connection with Nawada Nagar (Kadirganj) P.S. Case No. 718 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below verify that Priyanka Kumari has not received any grievous injury then the provisional bail of the petitioner will be confirmed by learned

court below and if the learned court below comes to the conclusion otherwise then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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