

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17485 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -BARGANIA District- SITAMARHI

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Punyadeo Rai @ Pundeo Rai Son of Bhekha Rai, Resident of village-
Masaha Alam, P.S.- Bairstania, District- Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Sharda Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 25-04-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 307 and 504/34 of the Indian Penal Code.

The prosecution case is that the petitioner
assaulted the handicapped son of the informant while other
accused persons assaulted the informant, his wife and grand son.

It is submitted by learned counsel for the
petitioner that there is no injury report on the record with regard
to the handicapped son of the informant and subsequently the
informant has retracted from the initial version and filed a
petition to that effect before the learned court below. The

petitioner has no criminal antecedent and in the background of land dispute the accusation has been levelled.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail provisionally for three months, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 24 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on verification of the fact that the handicapped son of the informant has not received any grievous injury, but in case the handicapped son of the informant has received any grievous injury then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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