

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20286 of 2016

Arising Out of PS.Case No. -150 Year- 2016 Thana -NAWADA District- NAWADA

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Birendra Pandit Son of chandreshwar pandit Resident of Mohalla-
Bhadaini Devi Asthan, P.S. Nawada (T),District-Nawada

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Kumar Mishra
For the Opposite Party/s : Mr. Narendra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 10-05-2016 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 and 307/34 of the Indian Penal Code.

The prosecution case is that for a dispute
with regard to blocking the passage in front of the house of the
informant the petitioner Birendra Pandit and co-accused
Dharmendra Pandit assaulted the informant with iron rod
causing head injury. When the informant’ wife Anita Devi came
to rescue then she was also assaulted by the wives of
Dharmendra Pandit and Birendra Pandit.

It is submitted by learned counsel for the

petitioner that for a bonafide dispute with regard to blocking the passage the occurrence took place when the informant has received only one injury over the parietal region which has been found to be simple in nature.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the genesis of the occurrence and the accusation being not corroborated by the medical opinion, let the above named petitioner be released on anticipatory bail, 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, Nawada in connection with Nawada (T) P.S. Case No. 150 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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