

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46745 of 2016

Arising Out of PS.Case No. -155 Year- 2016 Thana -PARWATTA District- KHAGARIA

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1. Pappu Kunwar @ Naveen Kunwar @ Naveen Kumar Son of Yogendra Kunwar,
2. Ajay Kunwar, son of Late Nunu Babu Kunwar, All residents of village- Kabela, Police STation- parwatta, District- khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 05-12-2016 Dr. Amrendra Kumar, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of Petitioner No. 2 Ajay Kunwar as Petitioner No. 2 has already been arrested.

Accordingly, the anticipatory bail petition of Petitioner No. 2 is dismissed as has become infructuous.

Heard both sides.

Petitioner No. 1 apprehends his arrest in Parwatta P.S. Case No. 155/2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that there was a Tilak occasion of the son of Anil Das. Some water fell on the body of Sunil Kunwar due to which some altercation took place. On such, Pappu



@ Navin Kuwar ordered to assault the informant. It is alleged that Nand Kishore Kuwar assaulted Sunil Kunwar with water pot. Golu Kuwar @ Krishna Raj Bhardwaj assaulted Sunil Kuwar, the brother of the informant, with *Khanti* on his head.

Learned counsel for the petitioner submits that there is a counter version being Parwatta P.S. Case No. 161/2016. The petitioner is not the assailant. The occurrence took place on account of sprinkling of water after taking feast.

Considering the facts aforesaid and the fact that there is case and counter case and the dispute occurred due to petty dispute, Pappu Kinwar @ Naveen Kunwar @ Naveen Kumar, Petitioner No. 1 above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Khagaria in connection with Parwatta P.S. Case No. 155/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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