

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11317 of 2016

Arising Out of PS.Case No. -97 Year- 2015 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

- =====
1. Kundan Kishore Pandey, S/o Late Shrikant Pandey
2. Munna Trivedi @ Sanjay Trivedi, S/o Late Sharda Nand Trivedi. Both
are Resident of Goh, P.S.- Goh, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra
Mr. Surendra Mishra

For the Opposite Party/s : Mr. Rajendra Singh Shastri (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

3 08-06-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The bail application of petitioner no. 1 has already
withdrawn and as such the bail application of petitioner no. 2 is
only taken for consideration.

The petitioner no. 2 apprehends his arrest in connection
with Magadh Medical P.S. Case No. 97 of 2015, registered under
Section 341, 342, 323, 324, 307 and 379/34 of the Indian Penal
Code.

The allegation is that the petitioner put pistol touching
the temple of the informant and ordered him to seat in his

vehicle. When the protest was made by the informant, Kundan Kishore Pandey gave a knife blow on his head and other unknown person assaulted with rod, fists and slaps.

Learned counsel for the petitioner submits that there is a civil dispute between the parties. The case has already been lodged against the informant earlier.

Having regard to the facts and circumstances of the case and also taking into consideration that earlier a criminal case has been instituted against the informant and there is a land dispute between the parties, the anticipatory application is disposed of with an observation that the petitioner may surrender and pray for regular bail and the same is considered by the court below preferably on the same day.

(Samarendra Pratap Singh, J)

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