

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12874 of 2019

Arising Out of PS. Case No.-990 Year-2018 Thana- KANKARBAG District- Patna

Lalu Rai, Son of Sri Munna Rai, Resident of Mohalla-East Indra Nagar, Road
No.1, P.S.-Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Prasad Yadav No.1

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-03-2019 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, 308, 504 and 506/34 of the IPC.

The prosecution case, as per the written report of Piyush Anand, dated 23.10.2018, submitted to the Station House Officer, Kankarbagh Police Station, is to the effect that the water discharge of the water tank of the petitioner used to flow in the campus of the informant and on protest being made, the petitioner and his father threatened the informant. On 23.10.2018, at about 7.30 P.M., the informant found his door and courtyard flooded with water discharge, whereupon he called the father of the petitioner then the petitioner started



abusing the informant and when the mother of the informant made protest, the petitioner assaulted the informant with iron rod on his head and when the brother of the informant came to rescue him, the petitioner assaulted on his leg with iron rod.

It is submitted by learned counsel for the petitioner that the accusation has been levelled against the petitioner in the background of petty dispute. From the FIR as well as from the impugned order, it appears that no grievous injury has been received by the informant's side. There is no accusation of repeating blow against the petitioner.

Learned APP submit that specific accusation of assault has been levelled against the petitioner.

Considering the genesis of occurrence in the background of logging of the water discharge from the water tank of the petitioner and the fact that neither the FIR nor the impugned order suggests that the informant's side has received any grievous injury, let the above named petitioner be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna in connection with



Kankarbagh P.S. Case No. 990 of 2018, subject to the condition
as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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