

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43777 of 2018

Arising Out of PS. Case No.-153 Year-2015 Thana- BAUNSI District- Banka

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Suraj Kasera, S/o Upendra Sah @ Petu Kasera, R/o Vill.- Daliya, P.S.-
Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Sri Manoj Kumar – 1, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-07-2018 Heard learned Counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 341, 323, 308, 379
and 504 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 19.12.2015 submitted by Nirmal Mandal to the
Station House Officer, Bausi Police Station is to the effect that
on the same day, at about 05.30 P.M., the informant along with
his elder brother was returning to his house and on the way, the
petitioner under the influence of alcohol started abusing him. On
protest being made, the petitioner pushed down the informant on



the ground, causing head injury. When the informant tried to get up, the petitioner assaulted on him with fists. It is further alleged that when brother of the petitioner, Sanjay Mandal, came to rescue him he was also assaulted the petitioner with fists, causing injury below his right eye. In course of assault, co-accused, Suraj Kasera, snatched Rs.2,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioner that maliciously, the accusation has been levelled against the petitioner. Moreover, the injury has been found simple in nature. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the accusation is specific against the petitioner.

Considering the nature of accusation, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Banka, in



connection with Bounsi P.S. Case No.153 of 2015, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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