

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48174 of 2023

Arising Out of PS. Case No.-75 Year-2023 Thana- BAKHARI District- Begusarai

1. Golu Kasera @ Golu Kumar S/O Ashok Kasera @ Ashok Sah R/O Village- Bakhari Ward No. 22, Ps., Bakhari Dist. Begusarai
2. Prince Kasera @ Prince Kumar S/O Ashok Kasera @ Ashok Sah R/O Village- Bakhari Ward No. 22, Ps., Bakhari Dist. Begusarai
3. Shubham Kasera @ Subham Kumar S/O Ashok Kasera @ Ashok Sah R/O Village- Bakhari Ward No. 22, Ps., Bakhari Dist. Begusarai
4. Prahlad Sah @ Prahlad Kumar S/O Nand Sah R/O Village- Bakhari Ward No. 22, Ps., Bakhari Dist. Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2023 Heard Mr. Braj Bhushan Poddar, learned counsel appearing on behalf of the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bakhari P.S. Case No. 75 of 2023 registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Allegedly while the informant was going to his shop, in the meantime, the petitioners along with others intercepted him and brutally assaulted with Iron rod. It is



alleged that on the exhortation made by petitioner no.1, the petitioner no.2 assaulted the informant by means of Iron rod. The petitioners and others also snatched his valuables.

4. Learned counsel appearing on behalf of the petitioners submits that with regard to an occurrence, which took place on 19.03.2022, the F.I.R. has been instituted on 31.03.2023 and no reason for delay has been assigned. He further submits that so far the injuries sustained to the informant is concerned, the same has been found to be simple in nature. He next submits that, in fact, prior to the alleged occurrence, the petitioners were brutally assaulted by the informant and his brother and when they went to the police station to lodge the F.I.R., considering the fact that the informant is a Press Reporter, the F.I.R. could not be registered, thereafter petitioner no.3 filed Complaint Case No. 438 of 2023 and this case is nothing but a counter blast to the earlier case instituted by petitioner no.3.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that prior to the institution of this case, there had already



been a complaint case instituted by petitioner no.3, coupled with the simple nature of injury and their fair antecedent, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bakhari P.S. Case No. 75 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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