

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22916 of 2025

Arising Out of PS. Case No.-99 Year-2024 Thana- KHODAWANDPUR District- Begusarai

Raj Kishor Kumar @ Raj Kishor Mahto S/O Chhotan Mahto Resident of
village- Baluaha, P.S.- Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhubneshwar Mahto, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending arrest in connection with Khodawandpur P.S. Case No. 99 of 2024 lodged on 26.07.2024, for the offence punishable under Sections 126(2) 115, 118(1), 117, 109, 303(2), 76, 352, 351(2) and 3(5) of the B.N.S.

3. As per the prosecution, FIR has been lodged against ten accused persons including the petitioner. The allegation against those accused persons that they have assaulted the informant and his family members. The allegation of outraging the modesty of the informant's side is also there. The specific allegation against the petitioner is that he assaulted the brother-in-law of the informant.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that his antecedent is clean. It is alleged against the petitioner is that he assaulted brother-in-law (*devar*) of the informant but the injury sustained is simple in nature. The injury report is annexed as Annexure-P/3. Counsel further submits that for the same date and place of occurrence, there is case and counter case. The case which has been lodged by the petitioner's side has been recorded as Khodawandpur P.S. Case No. 98 of 2024 whereas the informant's side has lodged Khodawandpur P.S. Case No. 99 of 2024. Counsel further submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that the specific allegation against the petitioner is that he assaulted the brother-in-law of the informant due to which injury has been caused. He further submits that from the Injury Report, it transpires that total five different injuries have been caused upon the informant's brother-in-law, therefore, he submits that bail application of the petitioner may be rejected. Counsel for the informant further submits that anticipatory bail application of



the accused persons from the informant's side, against whom there are allegations of assault, was also rejected.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is case and counter case and from the injury report, it transpires that the injuries are simple in nature.

7. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned S.D.J.M., Manjhoul, Begusarai, in connection with Khodawandpur P.S. Case No. 99 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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