

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25555 of 2025

Arising Out of PS. Case No.-426 Year-2024 Thana- TEGHRHA District- Begusarai

Mantosh Malakar @ Mantosh Kumar @ Munna S/O Kapildev Malakar @
Kapildeo Malakar R/O Village- Hariharpur, ward no. 1, Nagar Parishad
Teghra, P.S- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-08-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Teghra P.S. Case No. 426 of 2024 for the offence under sections 126(2), 115(2), 118(1), 109, 303 (2), 351 (2) and 3 (5) of the B.N.S. lodged on 06.12.2024 by the informant, Saurabh Kumar.

3. As per the prosecution story, the informant alleged that when he was returning from the Ayodhya Chowk to his house, the accused persons armed variously attacked. Specific allegation against this petitioner is of assaulting the informant and omnibus allegation against others including this petitioner is of assaulting Neeraj Kumar on their respective heads. Sunil Singh, father of the informant was



also assaulted. As the co-villagers assembled, they escaped. 112 was dialed and they (the injured) were taken to Teghra Hospital for treatment. This led to the FIR.

4. Learned counsel for the petitioner submits that there is case and counter-case, though there is specific allegation against this petitioner of assaulting the informant, the injury report shows that it is simple in nature. Further, omnibus allegation of assault against Neeraj Kumar is there, though he accepts that injury of Neeraj Kumar has been found to be grievous and the petitioner has no criminal antecedent.

5. Learned APP opposes the prayer submitting that not only he has assaulted the informant, allegation, alongwith others, is of assaulting Neeraj Kumar also. The State has taken this Court to the injury of informant to show that the three injuries have been found on the skull of the informant despite that the Medical Officer has opined the same to be simple, in any case, he has also assaulted the other injured Neeraj Kumar.

6. Taking into account the aforesaid facts as also the repeated assault that has been assigned to the petitioner, in that background, it would be appropriate that he seeks bail.

7. The anticipatory bail application stands rejected.



8. If, however, the petitioner surrenders within four weeks, the concerned Court shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

Adnan/-

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