

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34407 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- MANIHARI District- Katihar

Nand Lal Rishi S/o Late Jaldhar Rishi R/o Purain Seaze, Dilarpur, Ward No.
9, P.S.- Manihari, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Manihari P.S. Case No. 40 of 2025 instituted under Sections 115(2), 126(2), 189, 191(2), 109, 351(2), 352 of Bhartiya Nyaya Sanhita, 2023 lodged on 17.02.2025 by the informant, Bharat Mandal.

3. As per the prosecution story, the informant alleged that while his son was returning home, he was intercepted by named accused, after abuse, resorted to assault. Allegation against this petitioner is of giving iron rod blow on the head of Raj Kumar Mandal and when Bharat Mandal and Monu Mandal came to rescue, they were also assaulted. Raj Kumar Mandal was referred to Sub-divisional Hospital, Manihari and later to Sadar Hospital, Katihar considering his condition. This led to



the FIR.

4. Though, learned counsel for the petitioner tried to impress upon this Court that he is ‘Home Guard Jawan’, on the date of occurrence, he was on duty, there is a counter case, learned APP has pointed out that the injury has been found to be grievous in nature, the counter case itself shows that the occurrence took place.

5. Considering of the parties as also that the specific allegation against the petitioner of assaulting Raj Kumar Mandal which has been found to be grievous in nature, no relief can be extended.

6. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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