

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54134 of 2025

Arising Out of PS. Case No.-446 Year-2025 Thana- KATIHAR NAGAR District- Katihar

1. Nawal Kumar @ Mithun Mahto, S/o- Kamal Mahto @ Kamal Roy, R/o- Gaushala, P.S. Katihar Sahayak, District - Katihar
2. Kanhaiya Kumar @ Govind Mahto, S/o- Kamal Mahto @ Kamal Roy, R/o- Gaushala, P.S. Katihar Sahayak, District - Katihar
3. Sunil Kumar @ Chhotu Mahto, S/o- Kamal Mahto @ Kamal Roy, R/o- Gaushala, P.S. Katihar Sahayak, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-11-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Katihar Nagar P.S. Case No. 446 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 324(4), 331(6), 351(2), 351(3), 303(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The dispute arisen on account of a parking, led to commotion and later on, the petitioners and others brutally assaulted the informant and other staffs with *lathi*, *danda* and



belt, due to which the informant, who happens to be Branch Manager of the bank, alongwith other staffs sustained injuries. The accused persons also damaged the tab and mobile of the informant.

4. Learned Advocate appearing on behalf of the petitioners submitted that besides the omnibus nature of allegation the injuries which are alleged to have sustained to the informant and others, the same have been found to be quite trivial in nature and, as such, even if they are taken to be true for the sake of argument, no case much less under Section 109 of the Bharatiya Nyaya Sanhita is made out. It is further submitted that the petitioners are men of fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that the petitioners have brutally assaulted the informant and others and there is corresponding injury.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation coupled with the simple nature of injuries and the fair antecedent of the petitioners, let the petitioners above named be



released on bail, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Katihar P.S. Case No. 446 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

U		T	
---	--	---	--

