

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83345 of 2025

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

Mantosh Malakar @ Mantosh Kumar @ Munna Son of Kapildeo Malakar
Resident of Village- Hariharpur, Ward No. 1, Nagar Parishad, P.S.- Teghra,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvottam Kumar, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Teghra P.S. Case No. 426 of 2024 registered for the alleged offences under Sections 126(2), 115(2), 118(1), 109, 303(2), 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons assaulted the informant, causing injuries to him. When the family members of the informant came for his rescue, they were also assaulted with iron rod. The family members of the informant also received injuries on their different body parts.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Though there is allegation of assaulting the informant on his head with iron rod against this petitioner, no injury report of the informant has been brought on record. Except for that allegation, the other allegation against the petitioner and other co-accused persons is omnibus. The injuries of Raja Kumar, Chhotu Kumar and Sunil Kumar are stated to be simple whereas the injury of Niraj Kuamr is stated to be grievous in nature. There is a counter version and Teghra P.S. Case No. 428 of 2025 has been lodged by Rani Devi against the informant side as the informant side obstructed the marriage ceremony in the family of the petitioner and abused and assaulted the petitioner's side. In this background, the present false case has been lodged by the informant. The present case arises out of a very petty dispute between the parties during rituals at the night of marriage ceremony. The petitioner is a man of clean antecedent and is in custody since 11.09.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and absence of injury report and further



considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 426 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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