

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37322 of 2026

Arising Out of PS. Case No.-77 Year-2025 Thana- SAUR BAZAR District- Saharsa

Mantu Poddar @ Mantu Kumar @ Paudar @ Mantu Kumar Poddar @ Mantu Poddhar, (Male), aged about 42 years, S/O Bijendra Poddar @ Vijendra Poddar, Resident of village- Indarwa Ward No. 6, P.D.- Saur Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-07-2026 Heard Mr. Gopal Kumar Jha, learned counsel appearing on behalf of the petitioner and Mr. Rajendra Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Saur Bazar P.S. Case No. 77 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 109, 74, 303(2), 352 and 3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioner along with other accused persons, had allegedly assaulted the informant and his family members causing injury.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. There is case and counter



case between the parties. The petitioner side had lodged an FIR being Saur Bazar P.S. Case No. 78 of 2025, in which, allegation is that of brutal murder of his father and just to save themselves, the informant side has lodged a false case implicating petitioner and his family members. Both the parties were indulged into fierce-fight and the petitioner, in his self defence, may have caused injury to the informant side, without intention. Injuries sustained by the informant side have been opined by the doctor to be simple in nature. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the fact that there is case and counter case between the parties. The petitioner side had lodged an FIR being Saur Bazar P.S. Case No. 78 of 2025, in which, allegation is that of brutal murder of his father and just to save themselves, the informant side has lodged a false case implicating the petitioner and his family members. Both the parties were indulged into fierce-fight and the petitioner, in his self defence, may have caused injury to the informant side, without intention. Injuries



sustained by the informant side have been opined by the doctor to be simple in nature. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Saur Bazar P.S. Case No. 77 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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