

Court of Additional Sessions Judge I, Jhanjharpur
A.B.P. No- 425/2026
 (Khutauna P.S case No- 157/2025)
Mantu Kumar Vs. State of Bihar
 U/s- 103(1), 61(2) of the BNS.

S.N	Date of order	Order with signature	Office notes as to action taken
1	2	3	4
	03.06.2026	1. This anticipatory bail petition has been filed on behalf of accused namely, Mantu Kumar, seeking pre-arrest bail in connection with Khutauna P.S case No- 157/2025, Gr.No.- 1862/2025, U/s- 103(1), 61(2) of the BNS. 2. Heard Sri Balram Sahu Ld. Advocate on behalf of petitioner and Sri Indrakant Prasad, learned APP for the state. 3. Ld. counsel of the petitioner has submitted that no other bail petition either regular or anticipatory has been filed before this Ld. Court or before Hon'ble High Court, Patna except ABP 810/25 which was withdrawn due to C.S. has submitted under bailable sections of B.N.S.S. and petitioner has one criminal antecedent. It is further submitted that petitioner is quite innocent and has not committed any offence and prosecution story is totally false, concocted and petitioner has falsely been implicated in this case. It is further submitted that offence was only road accident and only for blackmailing the petitioner, this case has been instituted u/s 103(1) and 61(2) of BNS and due to negligence of the parents of the said kid, he was riding a cycle on road and crushed by the said pick up. Lastly he has submitted that petitioner is apprehending his arrest in this case, and Ld. Counsel prays to allow the anticipatory bail. 4. The learned APP opposed the petition and prayed to reject it. 5. The prosecution story in brief is that, informant of this case is Shivnarayan Sah and he has alleged that on 22.09.2017 at about 05 A.M. the informant along with his kid Nityam Kumar @ Harsh Kumar, aged 7 years went out for walking. From South direction a pick up vehicle bearing registration No. BR07GB9546, owner cum driver namely Mantu Sah, the petitioner with intention to kill tried to crush them resulted the informant was saved but his son was crushed under the said vehicle intentionally and Mantu Sah fled away. It is further alleged by the informant that there was a previous dispute regarding lending of money and when informant ask to return the money, Mantu Sah used to quarrel	

Court of Additional Sessions Judge I, Jhanjharpur
A.B.P. No- 425/2026
 (Khutauna P.S case No- 157/2025)
Mantu Kumar Vs. State of Bihar
 U/s- 103(1), 61(2) of the BNS.

	contd. 03.06.2026	and threatened the informant that one day he will crush both father and son with his vehicle, in spite of that the father of the petitioner namely, Mohan Sah also threatened the informant to kill. Hence, this case. 6. Heard both sides at length on aforesaid anticipatory bail petition and perused the case record along with LCR including case diary with postmortem report of the deceased. From perusal of the record it appears that on the basis of written application given by the informant namely, Shivnarayan Sah who happens the father of the deceased namely Nityam Kumar @ Harsh Kumar, aged about 7 years presented before SHO Khutauna P.S., this very case has been registered under Sections 103(1), 61(2) of the BNS vide Khutauna P.S. case No. 157/25 dated 25.09.2025. As per allegation alleged in the FIR that on the date and time of occurrence as alleged in the FIR, the accused petitioner willingly killed the son of the informant namely, Nityam Kumar @ Harsh Kumar, aged about 7 years by crushing him through his vehicle pick up bearing registration No. BR07GB9546, resulted the said deceased namely, Nityam Kumar @ Harsh Kumar, the son of the informant died. The postmortem report also corroborates the case of the prosecution. Apart from that in course of hearing a pen drive is also deposited on behalf of petitioner which also confirms the occurrence alleged. Petitioner is specifically named in the FIR and as per allegation alleged in the FIR it is also alleged that the petitioner had threatened the informant to crush. In spite of that there is sufficient materials available in the case diary against the petitioner accused and in para No. 75, the matter is found true against the petitioner accused and accordingly chargesheet has been submitted against the petitioner accused and Ld. Court after going through the materials in the case diary, the matter is found true under Section 103(1) of the BNS and accordingly cognizance has been taken against the petitioner accused. 7. Therefore, considering the aforesaid facts, gravity and nature of offence discussed above, I am not inclined to enlarge the petitioner on	
--	------------------------------	---	--

Court of Additional Sessions Judge I, Jhanjharpur
A.B.P. No- 425/2026
(Khutauna P.S case No- 157/2025)
Mantu Kumar Vs. State of Bihar
U/s- 103(1), 61(2) of the BNS.

	contd. 03.06.2026	anticipatory bail accordingly, prayer for anticipatory bail on behalf of petitioner namely Mantu Kumar is hereby rejected. Dictated and Corrected Sd/- (Sushil Kumar Dixit) Addl. Sessions Judge-Ist Jhanjharpur. Memo No..... Date..... Copy of order along with LCR be sent to the Court of Ld. S. Rahman, JMFC Jhanjharpur for information and needful. (Sushil Kumar Dixit) Addl. Sessions Judge-Ist Jhanjharpur.	
--	----------------------	---	--