

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78795 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- BARHIYA District- Lakhisarai

1. Pawan Singh @ Pawan, aged about 43 years, (Male)
2. Gopal Singh @ Gera, aged about 26 years, (Male)
Both Sons of Late Tanik Singh, Resident of Village - Khuthandih, P.S.-
Barahaiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Ashok Kumar, learned counsel appearing
on behalf of the petitioners and Mr. Rajendra Singh, learned
APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Barahiya P.S. Case No. 125 of 2025 registered for the
offence punishable under Sections 126(2), 115, 109(1), 303(2),
352, 351(2), and 3(5) of the B.N.S.

3. As per the allegation made in the FIR, petitioners,
who are named in the FIR, along with some unknown persons,
4-5 in numbers, had assaulted the informant on different part of
the body causing injury, with an intention to kill.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioners. Specific allegation of assault is against co-accused Sumit Kumar @ Pilla, who is own brother of the petitioners no. 1 and 2. There is long standing land dispute between the parties, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury to the persons of the informant, without intention. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that specific allegation of assault is against co-accused Sumit Kumar @ Pilla, who is own brother of the petitioners no. 1 and 2. There is long standing land dispute between the parties, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury to the persons of the informant, without intention. Petitioners have clean antecedent. I am of the opinion that petitioners have,



prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Barahiya P.S. Case No. 125 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 petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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