

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81802 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- NADI P.S. District- Bhagalpur

1. Gulshan Singh @ Gulshan Kumar, S/o Ladho Singh, R/o vill - Lokmanpur, P.S.- Nadi, Distt.- Bhagalpur
2. Dinesh Singh, S/o Late Prasadi Singh, R/o vill - Lokmanpur, P.S.- Nadi, Distt.- Bhagalpur
3. Makuni Singh, S/o Late Lukhri Singh, R/o vill - Lokmanpur, P.S.- Nadi, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-12-2025 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 Nadi P.S. Case No. 42 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. Allegedly on the fateful day, the accused persons came at the door of the informant and started abusing. When protest was made, co-accused Dharmendra Singh pulled out his



pistol and fired, however, the informant anyhow escaped. It is further alleged that petitioner no. 3 was also carrying a pistol, whereas others were armed with lathis, who have threatened the informant.

4. Learned Advocate appearing on behalf of the petitioners submitted that the genesis of the occurrence is nothing but a land dispute, as is evident from the pendency of the Title Suit No. 152 pf 2018 between the parties. The allegation, even if taken to be true for the sake of argument, none has sustained any injury. Moreover the specific accusation of firing has been levelled against co-accused Dharmendra Singh @ Dilwa, who is not before this Court. The petitioner nos. 1 and 2 though bear one criminal antecedent, however they are on bail, whereas petitioner no. 3 has absolutely fair antecedent. 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 co-accused person has resorted firing, but fortunately, the informant anyhow escaped unhurt.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of



the nature of accusation against the petitioners, coupled with the genesis of the land dispute and none has sustained any injury, 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.5,000/- (five thousand) with two sureties of the like amount **each** to the satisfaction of the learned Judicial Magistrate, 1st Class, Nawgachia in connection with Nadi P.S. Case No. 42 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 petitioners.

(Harish Kumar, J)

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