

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15130 of 2026

Arising Out of PS. Case No.-356 Year-2025 Thana- Raghunathpur District- East Champaran

1. Manoj Giri S/o- Late Asharfi Giri R/v- Raghunathpur Ps- Raghunathpur Dist- East Champaran
2. Arbind Pandey S/o- Julum Pandey R/v- Raghunathpur Ps- Raghunathpur Dist- East Champaran
3. Manish Giri S/o- Virendra Giri R/v- Raghunathpur Ps- Raghunathpur Dist- East Champaran
4. Niraj Giri S/o- Vidya Giri R/v- Raghunathpur Ps- Raghunathpur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-03-2026 Heard Mr. Bhola Prasad, learned counsel appearing on behalf of the petitioners and Mr. Nirmal Kumar Sinha, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Raghunathpur P.S. Case No. 356/2025 registered for the offence(s) punishable under Sections 126(2), 115(2), 118(2), 109, 351(2), 3(5) of the BNS.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioners and 20-25 unknown persons have assaulted the informant and his family



members, who sustained injuries. Reason behind the incident is the land dispute.

4. Learned counsel appearing on behalf of the petitioners submitted that both the parties to buy peace of mind have entered into compromise, considering the nature of allegation primarily to be of civil nature and specific information in this regard has been given in paragraph no.9 of the bail application. The compromise petition has been brought on record by way of Annexure P/ 2, which is dated 24.12.2025. He further submitted that the compromise petition duly sworn by the parties will be filed before the learned District Court, where the case is pending. Learned counsel, otherwise, also submitted that all the injuries sustained by the injured is simple in nature as per the opinion of the doctor and, as such, the 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. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, as well as, paragraph no.9 of the bail application, wherein specific information has been given that the petitioners and the informant have settled their dispute



outside the court and in this regard, they have arrived at a mutual settlement on terms and conditions as contained in settlement dated 24.12.2025. In case, the petitioners file a duly sworn joint compromise petition before the learned District Court then in that case, considering the nature of allegation, as well as, the law laid down by the Apex Court in case of *Naushey Ali vs. State of U.P.*, reported in, *(2025) 4 SCC 78*, the petitioners are directed to be released on pre-arrest bail, on such terms and conditions, as the learned District Court deems it fit and proper.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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