

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20390 of 2026

Arising Out of PS. Case No.-327 Year-2025 Thana- HARLAKHI District- Madhubani

1. Md. Reyaz Anwar @ Md Reyaz @ Md Riyaz Anwar S/O Md. Daud R/O Village- Office Toli, Hatwariya, P.s- Harlakhi, District- Madhubani
2. Md. Daud S/O Late Md. Salim R/O Village- Office Toli, Hatwariya, P.s- Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mr. Purushottam Kumar, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-04-2026 Heard Mr. Ajay Kumar Thakur along with Mr. Purushottam Kumar, learned counsels appearing on behalf of the petitioners and Ms. Nirmala Kumari, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Harlakhi P.S. Case No. 327 of 2025 registered for the offence(s) punishable under Sections 126(2), 115(2), 109, 352 and 3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioners assaulted with iron rod on the forehead of the informant, causing injury, with an intention to kill him.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners and informant are own *Gotia* and they have enmity since past. The conduct of the informant is such that on the basis of frivolous allegation, several cases have been lodged against the petitioner no.1 and 2, as would appear from the information contained in paragraph no.3 of the present bail application. In some of the cases, the petitioners have been acquitted on the basis of compromise. He further submitted that cause of dispute and fight between the parties is land dispute and instead of resorting to avail civil remedy before competent court having jurisdiction just to put pressure on the petitioners, the informant has lodged the criminal case. Referring to the injury, which has been sustained by the informant and attributable to petitioner no.1, learned counsel submitted that as per the opinion of the doctor, it has been found to be simple in nature. So far as petitioner no.2 is concerned, no overt act has been alleged against him. On these grounds, learned counsel seeks that the petitioners 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 after considering the background of the information contained in the bail application, it is evident that there is longstanding dispute between the petitioners and the informant, relating to their share of land. Petitioners and informant are own *Gotia*. The injury, attributable to the petitioner no.1, as per the opinion of the doctor, is simple in nature. So far as petitioner no.2 is concerned, no overt act has been alleged against him. 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 learned J.M. 1st Class, Benipatti, Madhubani / Concerned Court in connection with Harlakhi P.S. Case No. 327 of 2025, subject to the conditions 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 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.

9. The learned District Court is directed to take necessary steps to refer the matter for mediation under the provision of Mediation Act, 2023 before the learned Mediator of the District Mediation Center by fixing a date for appearance of the parties to give effect to “Mediation for the Nation 2.0”.

(Purnendu Singh, J)

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