

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21565 of 2026

Arising Out of PS. Case No.-890 Year-2023 Thana- KANTI District- Muzaffarpur

1. Chandra Bhushan Pandey S/o Late Pancham Pandey
 2. Krishna Kant Pandey S/o Chandra Bhushan Pandey
 3. Krishan Kumar Pandey S/o Chandra Bhushan Pandey
 4. Kamni Kant Pandey S/o Chandra Bhushan Pandey
 5. Priyansh Kumar @ Prince Kumar S/o Krishna Kant Pandey
- All are resident of village Bangra Patti Shain, P.S - Kanti, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Alok, Advocate Mr.Vivek Kumar Pandey, Advocate
For the Opposite Party/s :		Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-04-2026 Heard Mr. Alok Kumar Alok along with Mr. Vivek Kumar Pandey, learned counsels appearing on behalf of the petitioners and Ms. Sharda Kumari, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Kanti P.S. Case No.890 of 2023 registered for the offences punishable under Sections 341, 323, 307, 385, 379, 504 and 506/34 of the Indian Penal Code .

3. As per the allegations made in the FIR, petitioner no.1 allegedly ordered the killing of the informant and others. Petitioner no.2 is alleged to have fired a shot, which passed over



the head of the informant. Petitioner no.3 snatched Rs. 25,000/- and a mobile phone of the informant. Petitioner no.4 assaulted one Randhir Pandey with a sword, causing injuries to him. Petitioner no.5 assaulted one Sanjay Pandey with an Axe, causing injuries to his shoulder.

4. Learned counsel appearing on behalf of the petitioners submitted that there is a case and counter-case between the parties arising out of the same occurrence and both sides sustained injuries in the said incident. On the basis of these submissions, the petitioners seek grant of pre-arrest bail.

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

6. Having heard the rival submissions made on behalf of the parties, as well as, having considered the fact that the firearm allegedly discharged by petitioner no. 2 did not hit the informant and the injuries sustained by the injured Randhir Pandey attributed to petitioner no. 4 are simple in nature, the petitioners no.2 and 4 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned ACJM-1st, Muzaffarpur (West)/concerned court, in connection with Kanti P.S.Case No.890 of 2023, subject to conditions as laid down under Section 482(2) of BNSS of 2023

7. The learned district court is directed to verify the criminal antecedent of the petitioners no.2 and 4 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.

8. So far as petitioner nos. 1, 3 and 5 are concerned, having regard to the nature and gravity of the allegations levelled against them, I am not inclined to enlarge the petitioners no.1, 3 and 5 on pre-arrest bail. However, considering the facts stated in paragraph no. 14, it appears that there is a case and counter-case between the parties, therefore, in order to maintain peace and harmony between them, the parties may be permitted to explore the possibility of an amicable settlement of their dispute.

9. In the light of the law laid down by the Apex Court in the case of **Naushey Ali & Ors. Vs. State of Uttar Pradesh & Anr.** reported in **(2025) 4 SCC 78**, the learned District Court is directed to examine the matter for mediation and take necessary steps to issue notices to the respective parties and



upon their appearance, refer the matter 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”.

10. The present application is accordingly disposed of.

(Purnendu Singh, J)

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