

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3334 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- BAISI District- Purnia

1. Abdul Mannan @ Mannan S/O Md. Salam Resident of Village - Gotfor, Bhulbhasasa, P.S.- Baisi, District - Purnea.
2. Md. Shahjahan S/O Md. Hoda Resident of Village - Gotfor, Bhulbhasasa, P.S.- Baisi, District - Purnea.
3. Md. Mushtaque @ Mustaque S/O Bahab Resident of Village - Gotfor, Bhulbhasasa, P.S.- Baisi, District - Purnea.
4. Md. Salwar @ Salwar @ Md. Sarwal S/O Md. Mushtaque Resident of Village - Gotfor, Bhulbhasasa, P.S.- Baisi, District - Purnea.
5. Md. Firoj S/O Hannan Resident of Village - Laluka, P.S- Baisi, District - Purnea.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bhikhari Lal Bosak S/O Late Chulahi Lal Bosak R/O Village- Marwa, P.S- Baisi, Distt.- Purnea.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Raj Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP
For the informant	:	Mr. Bijendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 23-02-2026 Heard Mr. Raj Kumar, learned counsel appearing on behalf of the petitioner; Mr. Sadanand Paswan, learned Spl. PP for the State and Mr. Bijendra Kumar Singh, learned counsel for the informant.

2. The appellants have preferred the appeal under



Section 14(A)(2) of the SC/ST (POA) Act against the rejection of prayer for pre-arrest bail *vide* order dated 23.05.2025 passed by learned Special Judge, SC/ST Act (POA) Purnea in A.B.P. No.26 of 2025 (arising out of Baisi P.S. Case No.46 of 2025) registered under Sections 127(1), 115(2), 191(2), 190, 352, 351(1) and 3(5) of the BNS and Sections 3(i)(r)(s) of the SC/ST Act.

3. As per the allegation made in the FIR, the accused persons named therein including the appellants have assaulted the informant and also used caste narrated words against him, while the informant had gone to see his mustard crop in the field.

4. Learned counsel appearing on behalf of the appellants submitted that for the allegation as alleged in the FIR, co-accused/Md. Saiabur Rahman @ Bhodu @ Soyebur Rahman @ Md. Saidur Ramhan was taken into custody and *vide* order dated 25.09.2025, his bail application was dismissed as withdrawn. So far as other appellants are concerned, learned counsel submitted that from perusal of the FIR, it is evident that the said incident took place due to land dispute in respect of the land appertaining to Khata No.42, Khesra No.110, Thana No.448, measuring an area of 10 acres, over which mustard



crops were raised by the appellants and same was being harvested by informant's side. Hot talks took place between the parties regarding their respective claims and rights over the land in question. It is contended that, due to the aforesaid land dispute, the appellants have been falsely implicated in the present case on baseless and concocted allegations under the SC/ST Act. Learned counsel further submitted that save and except SC/ST Act, all sections are bailable and in absence of any specific allegation of assaulting the informant or using caste narrated words against the informant, the appellants seek to be released on pre-arrest bail.

4. Mr. Bijendra Kumar Singh, learned counsel, has tendered his appearance on behalf of the informant and submitted that in public view, the appellants have used abusive words, taking caste name of the informant. The appellants have also assaulted the informant, causing injury on different parts of his body.

5. Learned Spl. PP for the State has vehemently opposed the prayer for grant of bail to the appellants.

6. Having heard the rival submissions made on behalf of the parties, as well as, having considered the allegation made in the FIR, I find that the cause of lodging of FIR is land



dispute. Both the parties have claimed their right over the land in question as described above. In respect of the allegation under SC/ST Act, I find that it is admitted between the parties that due to land dispute, the alleged occurrence took place and the allegation against the appellants is specific that they have used caste narrated words against the informant but who used the caste name is not specific in the FIR and in want of any specific allegation against the appellants, the appellants, 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, on furnishing bail bond of Rs. 10,000/- (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 Baisi P.S. Case No.46 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C / 482 (2) of the BNSS.

7. Accordingly, the impugned order is set aside and appeal is allowed.

8. Considering the nature of dispute between the parties, I find that the same can well be resolved between the parties amicably outside the Court. The learned District Court may proceed to give effect to “Mediation for the Nation 2.0” by



referring the matter before learned Mediator.

9. Let a copy of this order be communicated to the
Member Secretary, Bihar State Legal Services Authority and the
Patna High Court Mediation Centre, for the purpose of record.

(Purnendu Singh, J)

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