

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73660 of 2025

Arising Out of PS. Case No.-423 Year-2024 Thana- RAMNAGAR District- West Champaran

1. Guddu Pandey Son of Late Mahadeo Pandey Resident of Village-Dainmarwo PS -Ramnagar District- West Chamapan
2. Manoj Pandey son of Late Mahadeo Pandey Resident of Village-Dainmarwo PS -Ramnagar District- West Chamapan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Alka Singh, Advocate
For the Informant	:	Mr.Umesh Prakash, Advocate
For the Opposite Party/s	:	Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 26-02-2026 Heard Ms. Alka Singh, learned counsel appearing on behalf of the petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Ramnagar P.S.Case No.423 of 2024, registered for the offences punishable under Sections 329(3), 126(2), 115(2), 109(1), 303(2), 351(2), 352 and 3(5) of BNS.

3. As per the allegation made in the FIR, the petitioners along with the other co-accused persons with an intention to kill and grab the land of the informant assaulted them causing injury.

4. Ms. Alka Singh, learned counsel appearing on behalf of the petitioners submitted that from the FIR itself it



would appear that there is a land dispute between the parties relating to entry in the respective house as the petitioner has allegedly constructed a wall on the said place causing inconvenience to the informant. She submitted that the dispute is purely civil in nature and without availing appropriate remedy before the competent civil court on the basis of the false accusations, the petitioners have been made accused in the present case. The petitioner no.1 has one criminal antecedent in which he is on bail. Learned counsel also submitted that even the Doctor has opined that the injuries are simple in nature.

5. Mr. Umesh Prakash, learned counsel has tendered his appearance on behalf of the informant and he has submitted that the accused persons with an intention to grab the land of the informant they assaulted, causing them injuries. The land in question is a common passage and due to construction of a wall, the same has been causing inconvenience to the informant.

6. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

7. Having considered the rival submissions made on behalf of the parties, as well as, considering the FIR and the fact that the petitioner no.2 (Manoj Pandey) assaulted the informant causing injuries to him, which is simple in nature. The petitioner



no.2 is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Bagaha, West Champaran in connection with Ramnagar PS Case No.423 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of BNSS.

8. So far as petitioner no.1 (Guddu Pandey) is concerned, specific allegation against him is that he had assaulted the father of the informant on his head and the opinion of the Doctor in respect of the injuries is reserved. I am not inclined to enlarge the petitioner on pre-arrest bail.

9. However, the dispute relates to the passage, which can be resolved amicably between the parties outside the court or they may avail appropriate legal remedy before the competent civil court.

10. I find it proper that the petitioner, if so advised, he may surrender before the learned district court and seek regular bail.

11. The learned District Court is directed to verify the injuries, which have been sustained on the person of the father



of the informant and consider the bail application of the petitioner no.1 on the same day and pass necessary order on the basis of materials available on the record in accordance with law.

12. With the above observation/direction, the present application stands disposed of.

(Purnendu Singh, J)

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