

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87642 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Bittu Kumar @ Bittu Sah (M) Age 31 years, S/O Dinesh Saw @ Dinesh Sah,
R/O Village- Cheriabariyarpur, ward no.- 8, P.S-Cheriabariyarpur, Distt.-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-01-2026 Heard Mr. Randhir Kumar No 1, learned counsel

appearing on behalf of the petitioner and Mr. Arun Kumar

Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Cheriabariyarpur P.S. Case No. 127 of 2025 registered for
the offence punishable under Sections 126(2), 115(2), 191(2),
191(3), 190, 109(1) and 352 of the BNS.

3. As per the allegation made in the FIR, while the
informant was going towards Kaliasthan, the petitioner along
with other co-accused persons, had stopped him and started
abusing and when the informant protested the same, they had
assaulted the informant causing injury on his head.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioner. Both the parties, who are agnates, were involved in dispute with respect to a piece of land, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner side may have caused some injury to the person of the informant, without intention. There is case and counter case between the parties. Injury sustained by the informant has been opined by the doctor to be grievous in nature, however, in absence of any specific allegation of assault and petitioner having clean antecedent, seeks to be released on pre-arrest bail.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that general and omnibus allegation has been levelled against the petitioner. Both the parties, who are agnates, were involved in dispute with respect to a piece of land, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner side may have caused some injury to the person of the informant, without intention. There is case and counter case



between the parties. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Cheriabariyarpur P.S. Case No. 127 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

9. It is, however, open to the respective parties to settle their dispute outside the Court amicably in 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.

10. If the parties desire to resolve the dispute outside the Court amicably by way of mediation, learned District Court



is directed to 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 2.0.

11. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

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