

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18328 of 2025

Arising Out of PS. Case No.-302 Year-2024 Thana- DHAKA District- East Champaran

Munna Mustaque Son of Kitab Ali @ Kitawali Miyan Village- Naya Tola,
P.S- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zaki Haider, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 16-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Dhaka
P.S. Case No. 302 of 2024 instituted for the offence under
Sections 191(2), 191(3), 190, 329(4), 324(4), 326(g), 115(2),
109, 132, 221, 121(1) & 121(2) of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case in short is that the accused
persons, including the petitioner, enraged after a deceased
person was declared dead at the hospital, and they have
allegedly assaulted medical staff and set an ambulance on fire.
Later on, their identification was established through video
footage.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27-11-2024. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR and he is remanded in this case from Dhaka PS Case No. 303 of 2024 arising out of the same occurrence merely on suspicion and at the instance of his local rivals due to dirty village politics. There is no specific allegation against the petitioner and petitioner was merely a member of the mob. Learned counsel submits that petitioner is not at all concerned with the occurrence. Other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 03-04-2025, passed in Cr. Misc. No. 18167 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhaka P.S. Case No. 302 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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