

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45087 of 2025

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

1. Faizullah @ Md. Faizullah Son of Md. Azizullah @ Azizullah Village- Lahan Dhaka, P.S- Dhaka, Dist- East champaran
2. Arshad @ Ladan @ Arshad Zafar Son of Murtuza Village- Lahan Dhaka, P.S- Dhaka, Dist- 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. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest 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 petitioners, 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 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 petitioners and petitioners were merely members of the mob. Learned counsel submits that petitioners are not at all concerned with the occurrence. Petitioners bear one criminal antecedent each. Other co-accused has been granted bail by this Court vide order dated 03-04-2025, passed in Cr. Misc. No. 18167 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dhaka P.S. Case No. 302 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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