

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53080 of 2025

Arising Out of PS. Case No.-203 Year-2025 Thana- GURUA District- Gaya

1. Chand @ Chand Alam @ Hassan Raza S/o Chunnu Mian R/o Vill- Gadru, P.S.- Gurua, Distt- Gaya
2. Razish Mian S/o Salahu Mian R/o Vill- Gadru, P.S.- Gurua, Distt- Gaya
3. Md. Tusar S/o Raquib Mian R/o Vill- Gadru, P.S.- Gurua, Distt- Gaya
4. Ehsan S/o Haidar Alam R/o Vill- Gadru, P.S.- Gurua, Distt- Gaya
5. Saddam Mian S/o Nezam Miyan R/o Vill- Gadru, P.S.- Gurua, Distt- Gaya
6. Monu Mian @ Ahmad S/o Badhu Mian R/o Vill- Gadru, P.S.- Gurua, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

3 15-09-2025 Heard learned counsel for the petitioners and Mrs. Renu Kumari, learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Gurua P.S. Case No. 203 of 2025, instituted for the offences punishable under Sections 191(2), 191(3), 127(1), 115(2), 117(2), 109, 132, 299 of the Bharatiya Nyaya Sanhita, 2023 and later on Section 103(2) of the Bharatiya Nyaya Sanhita, 2023 was added.

3. The prosecution case, in short, is that the police received information about the fight breaking out between two communities. Police reached the spot and found some persons



involved in the clash who received injuries. On further investigation, the police came to know about the petitioners and a number of other co-accused persons, who were creating a religious frenzy and indulged in attacking each other and causing injuries to a number of persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. No occurrence as alleged has ever taken place. The petitioners have not caused any injury to any person. It is apparent from the FIR that exchange of abuse took place and, thereafter, free fight took place between two groups in which both the sides allegedly sustained injuries. It is further submitted that there is no specific allegation levelled against the petitioners rather the same is general and omnibus in nature. He further submits that on the alleged day of occurrence, the petitioners were engaged in the Haldi ceremony of marriage of the brother of co-accused Md. Waris Ali. The petitioners are in custody since 17.05.2025. Petitioner nos. 1 and 3 have two criminal antecedents each whereas petitioner nos. 2, 4 & 5 have one criminal antecedent. Petitioner no.6 has no criminal antecedent. Learned counsel for



the petitioners further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 30.07.2025 passed in Cr. Misc. No. 47338 of 2025. Co-accused have also been granted bail by this Court vide order dated 20.08.2025 passed in Cr. Misc. No. 55916 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners as also the prayer for bail being based on parity, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gurua P.S. Case No. 203 of 2025.

(Rudra Prakash Mishra, J)

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