

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65010 of 2025

Arising Out of PS. Case No.-303 Year-2024 Thana- DHAKA District- East Champaran

1. Md. Nasim Bari @ Nasim Bari S/o Abdul Bari R/o Village - Lahan Dhaka, P.S - Dhaka, District - East Champaran, Motihari
2. Sartaj Alam @ Sartaz @ Sartaz Alam S/o Jamaluddin R/o Village - Lahan Dhaka, P.S - Dhaka, District - East Champaran, Motihari
3. Kadir Ahmad @ Kadir Mian @ Kadir Miya S/o Late Jalil Ahmad @ Jalil Mian @ Jalil Miya R/o Village - Lahan Dhaka, P.S - Dhaka, District - East Champaran, Motihari
4. Munna Ansari @ Munna @ Muna S/o Kalamudin Ansari R/o Village - Lahan Dhaka, P.S - Dhaka, District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zaki Haider

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 329(3), 324(4), 326(g), 109, 132, 221, 121(1) 121(2) and 61(2) of the B.N.S. & Sections ¾ of Prevention of Damage to Public Property Act, 1984.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case but then the said FIR also relates to the same occurrence for which the instant



anticipatory bail application has been filed, as such for the same occurrence, two FIRs have been instituted. It is next submitted that the informant alleges that four labourers while opening the centering of the toilet in the newly constructed house of Mahabir died due to suffocation, on account of which their family members and villagers became enraged when the victims were brought to the hospital and blocked the traffic and protested along with the dead bodies and also attacked the doctors and vandalized the hospital and set the ambulance parked in the hospital on fire and even attacked the police force and the fire-brigade personnel who had reached the place of occurrence.

4. Learned counsel submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the petitioners. It is also submitted that since four persons died, as such the villagers were angry and a protest was made but then in every protest some lumpen elements are present. It is further submitted that since petitioners reside near the place of occurrence hence out of inquisitiveness had come to witness the occurrence when they came to be implicated.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Dhaka P.S. Case No.303/2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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