

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71809 of 2025

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

Md. Shamil @ Md. Salim S/O Late Shekh Gafur @ Late Ibrahim Resident of
Village- Lahan, Dhaka, P.S- Dhaka, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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

ORAL ORDER

2 10-10-2025 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 offences 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 got enraged after a person was declared dead at the
hospital and they allegedly assaulted the medical staff and set



the ambulance on fire. Later on, their identification was established through video footage.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Petitioner is merely a member of mob and has no active role in the alleged incident. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.06.2025 and has one criminal antecedent. The co-accused persons have already been granted anticipatory bail by this Court vide order dated 25.07.2025 passed in Cr. Misc. No. 50532 of 2025.

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

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen 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.

Alok Verma/-
(Rudra Prakash Mishra, J)

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