

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 74688 of 2025

Arising Out of PS. Case No.-212 Year-2025 Thana- DAWATH District- Rohtas

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1. Hareram Singh @ Hare Ram S/O Late Baijnath Singh Resident of village- Babhnoul P.S.-Dawath, Dist- Rohtas
 2. Santosh Sah S/O Ramashre Sah Resident of village- Babhnoul P.S.-Dawath, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Dawath P.S. Case No. 212 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 324(4), 299, 196 of BNS and Section 27 of Arms Act.

3. As per prosecution case, people of Muslim community were returning from “*Kharbala*” after *Taziya Viserjan* and had reached “*Adda Pulia*” then hundreds of people armed with weapon started indiscriminate firing and attacked the Muslim Community in a planned manner. It is further



alleged that dozens of people were injured and one child was badly injured. The informant has taken the name of petitioners and others who are involved in the alleged occurrence.

4. Learned counsel for the petitioners submits that petitioners are in custody since 07.07.2025 and petitioner no.1 bears criminal antecedent of one case in which he is on bail whereas petitioner no.2 has no criminal antecedent. Learned counsel submits that there is no specific allegation against the petitioners rather the same is general and omnibus in nature. It is submitted that on similar and identical allegation, co-accused Munna Singh @ Munna Kumar Singh and Kamlesh Singh @ Mahesh Kumar have already been granted bail by this Court vide Cr. Misc. No. 72352 of 2025 and Cr. Misc No. 71771 of 2025 and on the principle of parity, the petitioners also deserve bail. Learned counsel submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioners and submits that there is allegation against the petitioners in the FIR and they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the



case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj (Rohtas) in connection with Dawath P.S. Case No. 212 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

Nilmani/-

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