

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37741 of 2026

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

1. Md. Parwez Alam @ Pravej S/o Md. Amanullah @ Amanullah R/o Village - Lahan Dhaka, P.S- Dhaka, District - East Champaran
2. Md. Sohail Ansari @ Md. Sohail Son of Md. Manzoor Ansari Residents of Village- Lahan Dhaka, P.S.-Dhaka, District- East Champaran, Bihar
3. Md. Jabbar @ Jabbar Son of Abdul Shakur @ Sakur Residents of Village- Lahan Dhaka, P.S.-Dhaka, District- East Champaran, Bihar
4. Masum Alam @ Masum Son of Md. Shamim Alam @ Shamim Residents of Village- Lahan Dhaka, P.S.-Dhaka, District- East Champaran, Bihar.
5. Rahmatullah @ Md. Rahmatullah Son of Abdul Rahim Miya @ Rahim Residents of Village- Lahan Dhaka, P.S.-Dhaka, District- East Champaran, Bihar.
6. Md. Rizwan Alam @ Rizwan @ Md. Rizwan @ Alam Son of Md. Kalamuddin @ Md. Kamaluddin Residents of Village- Lahan Dhaka, P.S.- Dhaka, District- East Champaran, Bihar.

... .. 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. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2026 Heard Mr. Zaki Haider, learned counsel for the

petitioners and Mr. Pranav Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Dhaka P.S. Case No. 303 of 2024, F.I.R. dated
19.07.2024 for the offences punishable under Sections 191(2),
191(3), 190, 329(3), 324(4), 326(g), 109, 132, 221, 121(1),



121(2), 61(2) of the BNS, 2023 and Section 3/4 prevention of Damage of Public Property Act, 1984.

3. According to prosecution case, over death of four laborers, these petitioners along with other accused persons have obstructed the traffic and also attacked on the doctors and also vandalized the ICU ward and other rooms of the hospital creating hindrance in discharging official duties.

4. Learned counsel for the petitioners submits that petitioner nos. 3, 4 and 5 have clean antecedent, petitioner no. 1 carries two criminal antecedents and petitioner nos. 2 & 6 carries one criminal antecedent each and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. It appear from the F.I.R that some persons have blocked the traffic and protest along with the dead bodies and also attacked on the doctors. He further submits that it appear from the F.I.R. that there is no specific allegation against the petitioners and since four persons have died, as such the villagers were angry. He further submits that similarly situated co-accused person namely, Md. Nasim Bari @ Nasim Bari has been granted anticipatory bail by a Co-ordinate Bench of this



Court vide order dated 26.09.2025 passed in Cr. Misc. No. 65010 of 2025 and other co-accused persons have also been granted bail by this Court and by different Co-ordinate Benches of this Court.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner no. 1 carries two criminal antecedents and the petitioner no. 2 and 6 have one criminal antecedent each other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner no. 1 and 6 are on bail in the said matters.

6. Considering the aforesaid facts and circumstances that there is no specific allegation against these petitioners and similarly situated co-accused persons have been granted anticipatory bail, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikrahana, Dhaka District-East Champaran in connection with Dhaka P.S. Case No. 303 of 2024, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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