

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4541 of 2017

Arising Out of PS.Case No. -298 Year- 2016 Thana -SIWAN CITY District- SIWAN

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Hemant Singh Kushwaha @ Hemant Kushwaha, Son of Kanahiya Prasad,
Resident of -Khajauli, P.S.-Pachrukhi, District-Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Siwan Town P.S. Case No.298 of 2016 registered under Sections 147, 148, 149, 353, 307, 332, 333, 427, 153(A), 295 and 295(A) of the Indian Penal Code.

The accusation is that at the time of procession of Ram Navmi, due to some overt act of the members of the procession of Ram Navmi, communal disturbance was created and members of Hindu and Muslim community were found indulged in raising slogan against each community leading to communal tension and engaged in brick batting but none was injured.



Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the First Information Report but no specific overt act has been attributed to the petitioner. It is further submitted that regarding the same occurrence said to be taken at different place, Siwan Town P.S. Case No.297 of 2016 was instituted in which the prayer of the petitioner for grant of anticipatory bail has been allowed by a Bench of this Court vide order dated 08.02.2017 passed in Criminal Misc. No.5608 of 2017.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Siwan Town P.S. Case No.298 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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