

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2056 of 2017

Arising Out of PS.Case No. -288 Year- 2016 Thana -AURANGABAD TOWN District-
AURANGABAD

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Saurabh Kumar Sanjay @ Saurabh Kumar, Son of Dilip Kumar, resident of
Village- Mirzapur, P.S. Kutumba, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 28-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Aurangabad (Town) P.S. Case no. 288 of 2016, registered under
Sections 147, 148, 149, 341, 353, 337, 427, 283 and 342 of the Indian
Penal Code.

The accusation is that in protest of the murder of Kamal
Kant Chaubey, 50 to 60 persons, including the petitioner, blocked the
G.T. road near Kawan Bigha turning. When the informant and other
Police personnel went there and tried to unblock the road and pacify
the matter then under the leadership of one Nitish Kumar, mob started
pelting stone on the truck and also pelted stones at the Police personnel
in which vehicles of the SDO and SDPO also damaged.

Learned counsel for the petitioner submits that petitioner



is not the resident of P.O. village rather he is resident of Mirzapur, P.S. Kutumba, District-Aurangabad and he has falsely been implicated in this case. Further submission is that there is no specific overt act against the petitioner and similarly situated co-accused has already been granted privilege of anticipatory bail by a co-ordinate Bench of this Court on 20.02.2017 passed in Criminal Miscellaneous No.4667 of 2017.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 288 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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