

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58455 of 2018

Arising Out of PS.Case No. -97 Year- 2018 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Prakash Kumar S/o Sri Chhote Choudhary @ Chhote Lal Choudhary, R/o Mohalla -new area Sishodiya Nagar, P.S.- Town Aurangabad, District- Aurangabad. At present Address- R/o Vill.- Mini Bigha, near Gayathri Bhavan, GT Road Bypass, P.S.- Auranabad Town, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the State : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-10-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 337, 323, 435, 436, 427, 307, 332, 333, 353, 153(A), 295(A) 379, 120B of the Indian Penal Code.

The prosecution case, in brief, is that on the eve of Ramnavami procession, brick bats and stone chips were being pelted by Muslim of Islam Toli. Meanwhile, perturbants present in procession, started setting fire here and there in town.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. Six F.I.Rs. were instituted with regard to the same



occurrence. The alleged incident is said to have taken place on the eve of Ramnavami. Altogether 124 persons were made accused. No specific overt act has been attributed against the petitioner. General and omnibus allegation has been made against the petitioner. The other similarly situated co-accused have been granted anticipatory bail by a coordinate bench of this Court vide order dated 10-05-2018 passed in Cr. Misc. No. 29056 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Town P.S. (Aurangabad) Case No. 97 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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