

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66069 of 2018

Arising Out of PS. Case No.-99 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

Praksah Kumar Son of Sri Chhotelal Choudhary @ Chhote Choudhary,
Resident of Mohalla- New Area Sishodiya Nagar, Police Station- Town
Aurangabad, District- Aurangabad, At Present address:- Resident of Village-
Mini Bigha, near Gayathri Bhavan , GT Road Bypass, Police Station-
Aurangabad Town, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 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, 120(B) of the
Indian Penal Code.

The prosecution case, in short, is that on the order of
District Magistrate and Superintendent of Police, Aurangabad,
the informant was on law and order duty on the eve of
Ramnavmi procession. On 26.03.2018, the informant along with
police forces was accompanying the procession and as soon as
the procession reached near Khatta-Mitha restaurant on old GT



road, brick bats and stone chips were being pelted by muslim community. Meanwhile the persons present in procession started setting fire here and there in the town.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. For the same occurrence, approximately seven cases were instituted by different persons. The alleged incident is said to have taken place on the eve of Ramnavmi. When the procession was passing by, clash took place with two different communities. General and omnibus allegation has been made. Altogether 130 persons are named in the F.I.R. including the petitioner. No specific overt act has been alleged against him. Other co-accused has been granted anticipatory bail vide Cr.Misc.No.36018 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 C.J.M.,



Aurangabad in connection with Town P.S. (Aurangabad) case
No.99 of 2018, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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