

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35295 of 2018

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1. Gaurav Chauhan son of Mahendra Prasad Singh, resident of Jay Prakash Nagar, Behind Electricity Office, P.S. Town Aurangabad, District-Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.

For the Opposite Party/s : Mr. Nityanand, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with Aurangabad Town P. S. Case No. 97 of 2018 registered under Sections 147, 148, 149, 337, 323, 435, 436, 427, 307, 332, 333, 353, 153(A), 295(A) and 379 of the Indian Penal Code.

A large number of persons have been made accused in the F.I.R. In the written report, it has been alleged that on the eve of Ramnawmi, some altercation had taken place between members of two communities.

It is submitted by the learned counsel for the petitioner that from perusal of the F.I.R itself, it would be manifest that no person of either side had sustained any injury. It is further



submitted that co-accused Prabhu Dayal Gupta @ Prabhu Saw, Naweem Kumar Sinha and Kavi Kumar, having identical allegation to that of the petitioner have already been granted pre-arrest bail by a co-ordinate Bench of this Court, vide order dated 09.05.2018 passed in Cr. Misc. Case No. 28472 of 2018.

Learned Additional Public Prosecutor for the State opposed the prayer for grant of pre-arrest bail to the petitioner. However, he admitted that the case of the petitioner stands on identical footing to that of other co-accused who have been granted pre-arrest bail in Cr. Misc. Case No. 28472 of 2018.

Considering the submissions made above, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Aurangabad Town P. S. Case No. 97 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

Kanchan/-Sneha

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