

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69277 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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Amit Kumar Ashwini S/o Tribeni Prasad Singh, resident of Village- Karhara,
P.S. Mali, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2018 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, 504, 436, 427, 307, 160, 295(A), 353
of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in brief, is that while the informant was
on law and order duty, he was informed that some purturbants of the
procession created chaotic situation. The informant saw purturbants
setting the shop on fire and damaging them.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been implicated in the present case due to mistake of fact. The
alleged occurrence is said to have taken place on the date of



Ramnavami. The petitioner is not named in the FIR. The motorcycle of the petitioner is said to have been found at the place of occurrence. There is no substantive evidence to suggest the implication of the petitioner in the present case. The other co-accused namely Mr. Alok Kumar with similar allegation has been granted anticipatory bail by this court vide order dated 10-10-2018 passed in Cr. Misc. No. 59944 of 2018.

On behalf of the State, it is submitted that the petitioner is not 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 Aurangabad (Town) P.S. Case No. 94 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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