

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28090 of 2018

Arising Out of PS. Case No.-95 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

=====

Prakash Kumar @ Prakash Chandra son of Chhote Lal Choudhary alias
Chhote Choudhary resident of Mohalla Mini Bigha, near Gayatri Bhawan GT
Road Bypass, now new area back of Amit Hotel, 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. Lalan Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with

Town (Aurangabad) P.S. Case No. 95 of 2018 for

offences punishable under Section 307 and other allied

Sections of the Indian Penal Code and Section 27 of the

Arms Act.

The prosecution case, as lodged by the

informant, is that during Ramnavmi procession there

was some communal riot and people of different

community started pelting stones and setting fire at

various places. 89 persons have been named in the First



Information Report including the petitioner and about 100 unknown.

It has been submitted by the learned counsel for the petitioner that he is innocent, is a student and had gone out to the market to buy his books for study and just then the communal riot started and he has been named in the First Information Report. He submits that no overt act has been alleged against him and a number of cases have been filed for the same incident on the same date, hence, he has been made accused in those cases for the same occurrence and apart from that he bears no criminal history. He further submits that some of the co-accused have been granted privilege of bail by this Court in Cr. Misc. No. 26033 of 2018 vide order dated 02.05.2018 and petitioner is languishing in judicial custody since 27.03.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond 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
(Aurangabad) P.S. Case No. 95 of 2018.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

