

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42563 of 2018

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

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Avinash Kumar, Son of Sunil Kumar, resident of Mohalla- New Area, P.S.-
Aurangabad, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest 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.

The accusation is that the informant being the Officer of
the Labour Department was deputed as Magistrate along with armed
forces on 26.03.2018 at Ramesh Chowk, Maharajganj More, on the
festival of Ramnavmi. While the procession of Ramnavmi was
moving ahead with customary weapons at about 01.30 P.M., but, in
the meantime, the members of Muslim community started pelting
stones. Due to that reasons, both sides started pelting stones and
vehicles and shops were also put on fire. At that time, 124 persons



including the petitioner were identified by the local police.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the F.I.R. along with 124 persons but no specific overt act is attributed to the petitioner. The petitioner has no criminal antecedent. Further submission is that the similarly situated co-accused, namely, Kapil Singh alias Kapil Kumar Singh, Raju Singh and Tejendra Kumar Singh alias Tajendra Singh, have already been granted the privilege of pre-arrest bail by this Court vide order dated 10.05.2018 passed in Criminal Misc. No.29056 of 2018.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within four weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Town P.S. Case No.97 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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