

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58801 of 2018

Arising Out of PS.Case No. -98 Year- 2018 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Prakash Kumar S/o Sri Chhote Choudhary @ Chhote Lal Choudhary, R/o Mohalla- new area Sishodiya Nbut agar, P.S.- Town Aurangabad, District- Aurangabad. At present Address- R/o Vill.- mini Bigha, near Gayathri Bhavan, GT road Bypass, P.S.- Aurangabad Town, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-10-2018 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, 295(A), 333, 353, 153(A), 379, 120(B) of the Indian Penal Code.

The prosecution case, in brief, is that while the informant was on law and order duty on the eve of Ramanavami procession, near Khatta Mitha restaurant on old GT Road, brick-bats and stone chips were being pelted by Muslims of Islam Toli.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. 7 cases were instituted for the same offence. The alleged incident is said to have taken place on the eve of Ramanavmi. No specific overt act has



been attributed against the petitioner. General and omnibus allegation has been made against the petitioner. Altogether 130 persons are named in the FIR along with some unknown persons. The other similarly situated co-accused namely, Raja @ Md. Naiyar Alam and Shashi Kumar have been granted anticipatory bail by different benches of this Court vide orders dated 05-07-2018 and 24-08-2018 passed in Cr. Misc. Nos. 3492 of 2018 & 48394 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 petitioners, 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 Town P.S. (Aurangabad) Case No. 98 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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