

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28589 of 2018

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

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1. Shubham Kumar, S/o Binod Singh, R/o Vill.- Raipura, P.S.- Aurangabad (Muffasil), District- Aurangabad.
2. Nitish Kumar Singh S/o Mukesh Kumar Singh, R/o Vill.- Ratanua, P.S.- Aurangabad (Muffasil), District- Aurangabad.

.... Petitioner/s

Versus

1. 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 : Mr. Sri Sanjay Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-05-2018 Learned counsel for the petitioners is permitted to make necessary correction in the name of father of petitioner no. 1 as appearing in the First Information Report.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in connection with Aurangabad Town P.S. Case No. 97 of 2018 for offences punishable under Sections 307 and other allied sections of the Indian Penal Code.

The prosecution case, as lodged by the informant is that during Ramnavami procession, while the procession crossed the Muslim Muhalla, there was stone pelting and brick batting and in various other places there was incidence of firing and as many as 124 persons including the petitioners have been named in the FIR



who were identified by CCTV footage.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and no overt act has been alleged to have been committed by them as it was a communal clash and mob attack and the large number of cases have been filed on the same day against many persons. He submits that some of the accused, named in the F.I.R., have been granted privilege of pre-arrest bail by this Court and the petitioners are languishing in judicial custody since 28.3.2018.

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

Considering the facts and circumstances and materials available on record let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each 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. 97 of 2018.

(Nilu Agrawal, J)

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