

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22105 of 2019

Arising Out of PS. Case No.-288 Year-2016 Thana- AURANGABAD TOWN District-
Aurangabad

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NITESH KANT CHAUBEY Son of Awadhesh Chaubey, Resident of Village-
Pokrahi, P.S.- Barun, District- Aurangabad, Currently Residing at Mohalla-
Shahpur, P.S.- Aurangabad Town, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Aurangabad Town P.S. Case No. 288 of 2016 for the offence punishable under Sections 147, 148, 149, 341, 353, 337, 427, 283 and 342 of the Indian Penal Code.

From the First Information Report, it appears that local residents were protesting against inaction of the police after murder of the petitioner's brother. It is alleged that the persons, who were protesting, misbehaved with the police and obstructed them from discharging their official duty, damaged the police vehicle and other properties when the police went there to pacify the situation.

Learned counsel appearing on behalf of the petitioner submitted that the allegation is general and omnibus



and similarly circumstanced co-accused have been allowed anticipatory bail by this Court by orders dated 20.02.2017 passed in Cr. Misc. No. 4467 of 2017, dated 28.02.2017 passed in Cr. Misc. No. 2056 of 2017 and dated 13.12.2017 passed in Cr. Misc. No.59496 of 2017.

Considering the above submission, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in Aurangabad Town P.S. Case No. 288 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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