

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70234 of 2018

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

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Aditya Singh, Son of Shri Lallu Prasad Singh, Resident of Mohalla- Ward
No.5, Jai Maa Colony, Police Station- Aurangabad, District- Aurangabad.

... .. Petitioner/s

Versus

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. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 337,
323, 324, 435, 436, 427, 307, 332, 333, 353, 360, 295(A), 188
and 120(B) of the Indian Penal Code and under Section 27 of
the Arms Act.

The prosecution case as per the written statement of Ram
Pravesh Prasad, Kanungo submitted to the S.H.O., Aurangabad
Town P.S. is to the effect that on 26.03.2018, on the eve of Ram
Navami procession, the informant was on duty to maintain law



and order and as soon as the procession reached near Khatta-Mitha Restaurant on old G.T. Road, bricks and stones were pelted by the people from Muslim community over the Ram Navami procession and subsequently, the police tried to pacify the issue and one person was apprehended, who disclosed his name as Saddam Hussain. Thereafter, the people present in the procession started setting fire here and there in the town and 67 persons including the petitioner, were apprehended and 20 persons managed to escape from the scene.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general against the mob and there is no specific accusation against the petitioner. It is further submitted that for the same incident, six FIR's have been registered against the petitioner and apart from these cases, the petitioner is not accused in any other case. Moreover, similarly situated co-accused persons namely, Subham Kumar, Navin Kumar Sinha, Aakash Gupta, Birendra Gupta, Munna Yadav have been granted anticipatory bail by Co-ordinate Bench of this Court vide order dated 22.01.2019, passed in Cr. Misc. No.2836 of 2019.

It is submitted by learned APP for the State that the petitioner is named in the FIR.



Considering the fact that the accusation is against the mob and similarly situated co-accused persons have been granted privilege of anticipatory bail by Co-ordinate Bench of this Court, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 connection with **Town P.S. (Aurangabad) Case No.95 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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