

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49194 of 2019**

Arising Out of PS. Case No.-101 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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Vivek Singh Chauhan @ Vivek Kumar Singh, Son of Shatrughan Singh
Resident of New Area Chitaud Nagar, P.S.- Nagar Thana Aurangabad,
District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 07-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Town P.S. Case No.101 of 2018 for the offence punishable
under Sections 147, 148, 149, 337, 323, 324, 435, 436, 427,
307, 332, 333, 353, 153A, 379, 295A, 120B of the Indian Penal
Code.

The allegation against the petitioner, as mentioned in
the FIR is that when the Ramnavmi procession was going on in
Aurangabad and reached near the old GT road, people from
Muslim community pelted stone and both sides raised slogans
against each other and set the vehicle and shops on fire. The
informant and police personnel found that altogether 137



persons were indulged in arson loot who were identified, however, the local person further suggested that 100 unknown persons were also involved in the riot. It has further been alleged that during inquiry, it was found that shops of Md. Khan Alam were set on fire and were robbed also.

Learned counsel appearing for the petitioner submits that there is general and omnibus allegation against the petitioner inasmuch as 168 persons are named in the FIR and apart from that 100 unknown persons were also indulged in arson. Learned counsel further submits that no specific allegation is there against the petitioner and nobody received injury pursuant to the act allegedly caused by the petitioner, if any. He further submits that similarly situated named co-accused have been granted bail by this Court in Cr. Misc. No.27164 of 2018 and Cr. Misc. No.30516 of 2018 vide order dated 04.05.2018 and 29.06.2018 respectively.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the allegation against the petitioner is general and omnibus and similarly situated persons have been granted bail by this Court, as such, I am inclined to grant anticipatory bail to the petitioner.



Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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