

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46105 of 2019**

Arising Out of PS. Case No.-102 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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VIVEK SINGH CHAUHAN @ VIVEK KUMAR SINGH S/o Shatrughan
Singh, Resident of New Area Chitaud Nagar, P.S.- Nagar Thana Aurangabad,
Distt- 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 SHIVAJI PANDEY
ORAL ORDER**

2 25-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Aurangabad Town P.S. Case No.102 of 2018
registered for offence punishable under sections 147, 148, 149, 337,
323, 435, 436, 427, 307, 332, 333, 353, 153A, 295A, 379 and 120B
of the Indian Penal Code.

The matter relates to taking out the procession and
during that procession the people exchanged stones pelting with the
muslim community. F.I.R. has been lodged against 197 persons. The
petitioner has also been named therein. There is no overt act
attributed against the petitioner, but he has been shown to be a
member of mob.

Looking to the facts and circumstances of the case, the



prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No.102 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond. Whenever the Police will call the petitioner for the purpose of interrogation/investigation, he would present himself, In case of failure on two consecutive dates without any valid reason, the prosecution will have liberty to make a prayer for cancellation of his bail before the court below.

(Shivaji Pandey, J)

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