

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62482 of 2019

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

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Abhishek Kumar Singh, Son of Birendra Prasad Singh @ Birendra Prasad Singh Resident of Village - Krishna Puri, P.S.- Aurangabad (Town), District- Aurangabad

... .. Petitioner/s

Versus

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.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Aurangabad (Town) P.S. Case No. 95 of 2018, registered under Sections 147, 148, 149, 337, 323, 324, 435, 436, 427, 307, 332, 333, 353, 360, 295(A), 188 and 120(A) of the Indian Penal Code.

The accusation is that on the eve of Ramnawmi procession, the informant along with other police personnel were present to maintain the law and order. As soon as the procession reached near Khatta-Mitha restaurant on Old GT Road, brick-bats and stone pelting were started by Muslim Community. In course of checking of brick batting, one Sddam Hussain was apprehended. Thereafter, the person present in procession also started setting fire.



At that time, some persons were arrested, whose named has been detailed in the F.I.R.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. but in course of investigation, the name of the petitioner has surfaced mere on suspicion without any overt act. Further submission is that similarly situated co-accused, Subham Kumar and others, have already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 22.01.2019 passed in Criminal Misc. No. 2836 of 2019. It is further submitted that in respect to same occurrence, six other cases have been lodged, which is detailed in paragraph 3 of the petition.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad (Town) P.S. Case No. 95 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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