

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66317 of 2019**

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

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AVINASH KUMAR S/o Sunil Kumar Resident of Gandhi Nagar, Ward No.
33, P.S. and District- Aurangabad

... .. 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.Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Town P.S. Case No.95 of 2018 registered under Sections 147, 148,
149, 337, 323, 324, 435, 436, 427, 307, 332, 295(A), 333, 353, 360,
188 and 120(B) of the Indian Penal Code besides Section 27 of the
Arms Act.

The accusation is that the informant Ram Pravesh Prasad,
in the light of the joint order of the District Magistrate and
Superintendent of Police, Aurangabad, was on duty to maintain the
law and order on the eve of Ram Navami Procession. As soon as the
procession of Ram Navami reached near Khatta-Mitha Restaurant on
Old GT Road, the Muslims of Islam Toli started pelting brick bats
and stone chips. However, brick batting was checked and one of the



pelers was apprehended, who disclosed his name as Saddam Hussain. At that time, the purturbants present in the procession started setting fire hither and thither in town.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. but, later on, in course of investigation, the name of the petitioner has come in this case. The petitioner is accused in the the cases, as detailed in paragraph-3 to this application, but those cases are related to the same occurrence.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Town P.S. Case No.95 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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