

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76974 of 2019**

Arising Out of PS. Case No.-97 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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MD. SHSHNAWAZ @ SALLU KHAN @ MD. SHAHNWAJ REHMAN @
SHAHNWAJ REHMAN Son of Motiurrahman Resident of Pathan Toli, 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.Bhaskar Shankar

For the Opposite Party/s : Mr.Dr. Indihar Kumari

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

ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Aurangabad (Town) P.S. Case no. 97 of 2018, registered
under Section 307, 147, 148, 149, 337, 323, 435, 436, 427, 332,
333, 353, 153(A), 295(A) and 379 of the Indian Penal Code.

The accusation is that informant being the Officer
of Labour Department was deputed as Magistrate along with
other Police personnel on the eve of Ramnaumi procession.
When he went at Ramesh Chowk, Maharajganj More for
maintaining law and order along with other Police personnel
while procession of Ramnaumi was moving ahead with
customary weapons, at that time, members of mob started



pelting stones and vehicles and shops were also put on fire. At that time, 124 persons were identified by the local people.

Learned counsel for the petitioner submits that while petitioner is said to be member of the mob indulged in pelting stones and putting the vehicles and shop on fire, but no specific overt act has been attributed against the petitioner. Further submission is that similarly situated co-accused Kapil Singh @ Kapil Kumar Singh and two others have already allowed privilege of pre-arrest bail on 10.05.2018 vide Criminal Miscellaneous No. 29056 of 2018 by this Court.

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 four 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 Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 97 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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