

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76401 of 2019**

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

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MD. SHAHNAWAZ @ SALLU KHAN @ MD. SHAHNWAJ REHMAN @
SHAHAWAJ RAHMAN 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. Indiwari Kumari

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 27-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 307, 147,
148, 149, 337, 323, 435, 436, 427, 332, 333, 353, 153(A),
295(A), 120(B) of the Indian Penal Code.

Prosecution case is that on 26.03.2019 a Ramnavmi
procession was organized and when the procession came near
Nawadih road at 4.30PM stone pelting started by Muslim
community and after that clash started and the petitioner and
some persons set fire and damage the shops.

Learned counsel for the petitioner submits that
petitioner is innocent, not named in the F.I.R. and has been



falsely implicated in the present case. He submits that similarly situated co-accused have been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 68564 of 2019 and Cr. Misc. No. 68587 on 25.10.2019.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Aurangabad (Town) Police Station Case No. 102 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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