

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66088 of 2019**

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

Subodh Kumar Pandey, Son of late Mohan Murari Pandey Resident of Village
- Ward No. 33, Gandhi Nagar, South of Koil Colony, Aurangabad, P.S.-
Aurangabad. Distt - Aurangabad, Bihar - 824101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Manish Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 04-03-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

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

Prosecution story is that the police party was
managing the Ramnawmi procession in the town and in the
meantime, some persons started pelting stones on the
procession. It has further been alleged that 89 named accused
persons and 100 unknown persons started creating disturbances
by setting the shops on fire and ransacking the business



premises of the shop keepers. The name of the petitioner has transpired during the investigation being Chairman of the Ramnawmi Committee.

Mr. Anil Kumar, learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive inasmuch as the petitioner is not named in the First Information Report and has been dragged in this case on the basis of the fact that he allegedly happens to be the Chairman of Ramnawmi Committee. Learned counsel further submits that no specific allegation of creating disturbances has been levelled against the petitioner. Learned counsel referring to the order passed by coordinate Benches of this Court in Cr. Misc. No. 70234 of 2018, Cr. Misc. No.66317 of 2019, Cr. Misc. No.62482 of 2019 and Cr. Misc. No.62621 of 2019 submits that similarly situated accused persons have been granted bail by this Court.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner is not named in the First Information Report and there is no specific allegation against the petitioner of creating disturbances, I am inclined to grant anticipatory bail to the the petitioner.

Accordingly, let the petitioner, above named, in the



event of his arrest or surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Town P.S. (Aurangabad) Case No.95 of 2018, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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