

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47922 of 2015**

Arising Out of PS.Case No. -260 Year- 2014 Thana -RANIGANJ District- ARRARIA

- =====
1. Md. Arif S/o Late Basir
  2. Md. Aiyub, S/o Md. Jainuddin
  3. Md. Mustaque, S/o Late Nasir
  4. Md. Makrul @ Maktur, S/o Late Kabir All Village- Kadwa, P.S.-  
Raniganj, District- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kundan Kumar Singh  
For the Opposite Party/s : Mr. Ashraf Ansari (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      04-11-2015      Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 225, 337, 338, 332, 333, 188, 353, 379, 427, 307, 511, 171(C)(F), 120B of the Indian Penal Code.

The prosecution case is that the informant was deputed as patrolling magistrate during PACS election in upgraded middle school, Kadwa. The supporters of the candidate Md. Khalid @ Laddu and Md. Arif(petitioner No. 1) put pressure for casting bogus votes. The miscreants poured ink into the ballot box. In the meantime, one Nauroj was apprehended but about 200-300 people tried to get him released. Co-accused Nauroj named 26 persons including the petitioners. It is also alleged that petitioner Arif and his supporters tried to strangulate A.S.I Nigamchand Mishra.

It is submitted by learned counsel for the petitioners that accusation is omnibus and general and in the background of political rivalry the accusation has been levelled when no injury was caused to anyone.

Considering the nature of accusation, let learned Court below consider the prayer for regular bail of the petitioner No. 1 namely Md. Arif, if he surrenders within a period of six weeks in connection with Raniganj P.S. Case No. 260 of 2014, pending in the Court of learned Judicial Magistrate, 1<sup>st</sup> Class, Araria.

Accordingly the application with regard to petitioner No. 1 stands disposed of.

So far as petitioner Nos. 2 to 4 are concerned, since accusation is not specific against them, let the petitioner Nos. 2 to 4, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Araria in connection with Raniganj P.S. Case No. 260 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

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