

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41476 of 2014

Arising Out of PS.Case No. -153 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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Lal Babu Rai, S/o Late Hira Rai, Resident of Village-Rupauli, P.S.-Runni Saidpur, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Smt.Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-03-2015

Heard.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 353, 337 and some other allied offences under the Indian Penal Code as also under Section 131 of the Representation of the People Act.

It is submitted that the occurrence in question is said to have taken place on the day of poll during the last Lok Sabha Election and though there is allegation of throwing brick-bat by large number of persons including the petitioner, but admittedly no police personnel sustained any injury on their person. It has been stated in paragraph 3 of the application that the petitioner has no criminal history.

Taking into consideration the aforesaid aspect, it is directed that in the event of arrest or surrender of the petitioner in the court below within a period of four weeks from today in connection with Runni Saidpur P.S. Case No.153 of 2014 pending in the court of learned C.J.M., Sitamarhi, he shall be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the

like amount each subject to the conditions laid down under Section 438(2) of the Cr.P.C. and subject to verification that the petitioner is not an accused in any other criminal case excepting the present one. However, if on verification, learned Magistrate comes to a conclusion that the petitioner is accused in some other criminal case also, then it shall be construed that the prayer for grant of anticipatory bail made on behalf of the petitioner has been rejected by this Court and, in that case, the petitioner shall be taken into custody and shall be remanded to jail, whereafter he shall be at liberty to pray for regular bail, which shall be considered in accordance with law.

(Birendra Prasad Verma, J)

Arvind/-

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