

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37134 of 2016

Arising Out of PS.Case No. -80 Year- 2016 Thana -PAROO District- MUZAFFARPUR

1. Ram Dayal Bhagat S/o late Nand Bhagat
2. Sudama Kumar Son of Badri Bhagat Resident of Village- Daudpur, P.S. Paroo, District Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Vipin Kumar

For the Opposite Party : Mr. Sri Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 19-09-2016 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Paroo Police Station Case No. 80 of 2016, disclosing offences under Sections 147/148/149/341/504/506/307/171(C) of the Indian Penal Code and Sections 135/135(A) of the Representation of Peoples Act.

The occurrence had taken place at the time of polling of votes for last Gram Panchayat Election at Booth No. 108, at Daudpur, in the district of Muzaffarpur.

Allegedly, few unknown anti-social elements unauthorizedly entered into the booth and snatched ballot papers.



Learned Counsel appearing on behalf of the petitioners appears to be right in his submission that though in the body of the First Information Report, no specific overt act has been attributed to the petitioners, their names have just been mentioned in the First Information Report as they were present there as agents of the contesting candidates. It has also been submitted that the petitioners were not present there as they were polling agents for Booth No. 109 and not Booth No. 108.

Be that as it may, considering the facts and circumstances and the nature of accusation made in the First Information Report, this application is allowed.

Let the petitioners, namely, Ram Dayal Bhagat and Sudama Kumar, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri A. K. Singh, learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Paroo Police Station Case No. 80 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the

police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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