

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42257 of 2016

Arising Out of PS.Case No. -143 Year- 2016 Thana -MOTIPUR District- MUZAFFARPUR

- =====
1. Bhagya Narayan Kushwaha @ Bhagya Narayan Pd. Kushwaha, S/O late Sahdeo Bhagat.
 2. Prahlad Pd. Kushwaha, S/O Babu Lal Bhagat. Both are residents of village-Barjee, P.S. Motipur, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Motipur P.S. Case No. 143 of 2016, disclosing offences under Sections 147, 341, 188, 383, 171(F) of the Indian Penal Code as well as 135A and 136 of R.P. Act.

It is alleged that in course of Panchayat election, when the polling was going on, 150 to 200 persons came to the polling booth, damaged the ballot papers and ballot boxes. Though the petitioners are named in the First Information Report, there is no specific allegation against them, constituting any criminal misconduct, learned counsel for the petitioners submits.

Considering the submissions as above, this application

is allowed.

Let the petitioners, above-named, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, (West) Muzaffarpur in connection with Motipur P.S. Case No. 143 of 2016, subject to the conditions as 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)

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