

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43923 of 2016

Arising Out of PS.Case No. -54 Year- 2015 Thana -IMAMGANJ District- GAYA

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1. Mukhdeo Kumar Yadav S/o Hiranman Yadav resident of Village- Biraj, P.S.- Kothi, Dist- Gaya.
 2. Md. Moin Alam S/o Md. Imamuddin resident of Village- Jhikatiya, P.S.- Kothi, Dist- Gaya.
 3. Pankaj Kumar Gupta S/o Ayodhya Prasad Gupta resident of Village- Lalit Nagar, Dandibag, P.S.- Bishunpura, Dist- Gaya.
 4. Md. Nematullah Quranshi S/o Md. Wazzmuddin Quraishi @ Md. Nezamuddin Kuressi resident of Village- Balapar, P.S.- Kothi, Dist- Gaya.
 5. Sarvan Kumar S/o Birendra Prasad Yadav resident of Village- Bilropur, P.S.- Kothim Dist- Gaya.
 6. Rana Digambar Singh S/o Ramanugrah Singh resident of Village- Bishrampur, P.S.- Imamganj, Dist- Gaya.
 7. Dinesh Kumar S/o Dowarika Yadav resident of Village- Salaiya, P.S.- Sohail, Dist- Gaya
 8. Rajesh Prasad son of Dinesh Ram resident of Village- Bindhau, P.S.- Imamganj, Dist- Gaya.
 9. Nagendra Kumar Singh son of Late Devnandan Singh resident of Village- Nawakhap, P.S.- Imamganj, Dist- Gaya
 10. Vijay Kumar Singh son of Ram Kewal Singh resident of Village- Childmikala, P.S.- Amas, Dist- Gaya.
 11. Surendra Kumar Singh @ Surendra Kumar son of Kauleshwar Yadav resident of Village- Kadarapur, P.S.- Kothi, Dist- Gaya.
 12. Nagendra Paswan son of Brahamdeo Paswan resident of Village- Shira, P.S.- Kothi, Dist- Gaya.
 13. Raju Kumar Gupta son of Sukhram Gupta resident of Village- Bhogrampur, P.S.- Kothi, Dist- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 05-10-2016

Heard learned counsel for the petitioners.

The petitioners seek pre-arrest bail in Imamganj P.S. Case No. 54 of 2015 dated 11.05.2015 instituted under Sections 409 of the Indian Penal Code and 134 of the Representation of People Act, 1951.

The allegation against the petitioners is that they had obstructed in the election work and also taken away the register of the election and despite telephonic calls and letters, they did not submit the register in the office.

Learned counsel for the petitioners submits that they are teachers and were on strike and they have not committed any offence and further no letters have been received by them. It is submitted that the officers have unnecessarily implicated them in a false case. On a query of the Court as to why the petitioners were on strike when their prime duty was to teach the students and also as to why the strike was not after school hours and further as to why they had acted in an unbecoming manner by obstructing election work and taking away the election register, learned counsel is not a position to

give any answer. However, it is the admitted position that during the said period, the petitioners were on strike.

Having considered the matter, the Court is not inclined to enlarge the petitioners on anticipatory bail.

Accordingly, the application stands dismissed.

However, in the event the petitioners surrender within one month from today and pray for regular bail before the court below, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order, preferably on the same day.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	NAFR
CAV DATE	N/A
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