

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36531 of 2016

Arising Out of PS.Case No. -66 Year- 2016 Thana -DARAUNDA District- SIWAN

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Guddu Yadav alias Pankaj Kumar Yadav alias Guddu Kumar, son of Sri
Badrinath Yadav, resident of village-Tarwa Parsa, Police Station-M.H.
Nagar (Hasanpura), District-Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 16-09-2016 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with
Daraunda (M.H. Nagar) Police Station Case No.66 of 2016 registered
under Sections 188, 353, 504 and 506/34 of the Indian Penal Code.

The accusation is that the informant was deputed as Static
Police Officer with Presiding Officer at Polling Booth No.198,
Government Primary School, Madhwapur, to conduct the Panchayat
Election, 2016 on 28.04.2016. At about 03.30 P.M., Sanjay Kumar
Yadav, the then Mukhiya of Harpur Kotwa Panchyat alongwith his
younger brother (petitioner) and his 2-3 supporters entered into the
booth premises and started to abuse the police party and Magistrate by
giving threatening to make firing within 10 minutes. Regarding the
said incident, the information was given to the Sector Magistrate and

Police officials. On reaching the police officials, Sanjay Yadav alongwith his supporters fled away on his Bolero vehicle. Sanjay Yadav alongwith his brother and supporters created disturbance in the polling of Panchayat Election by abusing and giving threatening to the police party and Presiding Officer of the booth..

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner being the brother of Sanjay Yadav, the Mukhiya of Harkotwa Panchayat, has falsely been implicated in this case. Moreover, there is no allegation to create disturbance at the polling booth at the hands of the petitioner.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Daraunda (M.H. Nagar) P.S. Case No.66 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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