

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31183 of 2017

Arising Out of PS.Case No. -113 Year- 2017 Thana -MAUZAHDIPUR District- BHAGALPUR

=====

1. Mira Devi wife of Sri Vijay Sah
2. Vijay Sah son of Late Narayan Sah
Both residents of village - Panna Mill Road, P.S. Mojahidpur, Dist -
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek
For the Opposite Party/s : Mr. Sri Ram Anurag Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 14-07-2017 Heard the learned counsel for the petitioners and the
learned APP for the State.

The petitioners apprehend their arrest in connection
with Mojahidpur P.S. Case No. 113 of 2017 instituted for the
offences punishable under Sections 147, 149, 448, 353, 188, 171-
F/295-A of the Indian Penal Code and Section 135A/136 of the
Representation of People Act.

The petitioner no. 1 was a candidate of Councilor in
Municipal Corporation election and petitioner no. 2 is her
husband. It is said that on 21.05.2017, the informant along with
police party visited at polling booth and found that these
petitioners in a mob of 400-500 blocked the road. They were



raising protest against the administration. It is said that the voter lists provided to the candidates and downloaded from web did not tally with the voter lists of polling party on account of which, the voters were deprived from casting their votes for which hot talk took place.

Learned counsel for the petitioners submits that the allegation of causing hindrance in performing duty to the polling party is omnibus. The voters, who returned without casting their votes had raised protest against the administration. The petitioners have clean antecedent and no specific overt act has been attributed against any of the petitioners. So, they deserve anticipatory bail.

The learned APP, on the other hand, opposed the submission.

On perusal of written report, it appears that a large number of people had raised protest against the administration as their names were not found in the voter lists. The allegation against these petitioners appears omnibus.

In the aforesaid facts and circumstances, the anticipatory bail prayer is allowed. The petitioners, above named, in the event of arrest / surrender within six weeks from today, 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 learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur P.S. Case No. 113 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sanjay Kumar, J)

ajaypd./-

U		T	
---	--	---	--

