

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34084 of 2017

Arising Out of PS.Case No. -152 Year- 2017 Thana -MITHANPURA District- MUZAFFARPUR

- =====
1. Ravi Shankar Sharma @ Babbu Sharma, son of late Brajbhushan Sharma.
 2. Priyanka Sharma, wife of Ravi Shankar Sharma.
- Both residents of village Mithanpura, Shiv Shankar Path, P.S. Mithanpura, Distt. Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shally Kumari, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Mithanpura P.S. Case No. 152 of 2017 instituted for the offence under Sections 171(E), 171(F), 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code and Sections 66(A) and 66(B) of I.T. Act.

As per written report the informant got confidential information that in the house of ward counselor candidate Priyanka Sharma (petitioner No. 2), some persons had assembled and preparing forged voter I.D. through Laptop, computer etc., the informant reached in the house of petitioner No. 2 and found 8 to 10 persons working on laptop, printer etc.

It has been submitted that several articles such as



laptop, mobile phone, printer, voter list containing photographs, documents regarding deputation of police and polling officers, voter I.D. Card, passbook etc. and some other materials which description are mentioned in the seizure list were recovered for which petitioners could not give satisfactory reply. It has further been submitted that this case has been filed merely on account of election dispute. The petitioner No. 1 was elected Ward Counselor of Ward No. 36 before 2017. Thereafter, in the year 2017, petitioner No. 2 contested aforesaid election and she was elected.

From the allegation in the written report and seizure list, it appears that the articles of daily use have been recovered from the house of petitioners.

In such circumstances, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Mithanpura P.S. Case No. 152 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the



jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

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(Sanjay Priya, J)

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