

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48745 of 2017

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

1. Ajay Rai,
2. Vijay Kumar @ Guddu Rai,
Both are Son of Shambhu Rai, R/o village- Barjidihi, P.S.-
Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan

For the Opposite Party/s : Mr. SATYA NAND SHUKLA

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-11-2017 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 Police Station Case No. 143 of 2016, disclosing offences under Sections 147, 341, 188, 353, 171F of the Indian Penal Code and Sections 135(A) and 136 of the Representation of Peoples Act.

It is evident from the First Information Report, which is registered on the basis of written report of the Presiding Officer, appointed for a polling station at Rajkiya High School, Turki (Kudhani), in the last panchayat election held in the year 2016, that some anti-social elements damaged the ballot papers and other documents, as also ballot box. It also appears that the persons present there, in course of discussion, disclosed the



names of these petitioners and others, who allegedly participated in the commission of the offence.

Learned Counsel, appearing on behalf of the petitioners, appears to be right in his submission that implication of these petitioners is based on conjectures only.

This application is, accordingly, allowed.

Let the petitioners, namely, Ajay Rai and Vijay Kumar @ Guddu Rai, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate (West), Muzaffarpur, in connection with Motipur Police Station Case No. 143 of 2016, subject to the condition 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.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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