

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62069 of 2017

Arising Out of PS. Case No.-113 Year-2017 Thana- MAUZAHIDPUR District- Bhagalpur

1. Rinku Kumari, W/o- Prasant Kumar,
2. Prasant Kumar, S/o- Nand Kishore Prasad, Both R/o Panna Mill Road, Gwhatt, P.S.- Mojahidpur, District- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. SRI NAGENDRA PRASAD

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 448, 353, 188, 171F and 295A of the IPC and Sections 135A and 136 of the Representation of People Act.

The prosecution case is that the petitioners along with a mob of 400-500 people created disturbance during polling hours in order to protest against the administration since the voter lists provided to the candidates and downloaded from the website did not match with the voter lists of polling party.

It is submitted by learned counsel for the petitioners that petitioner no.1 was a candidate in the Municipal election whereas petitioner no.2 is the husband of petitioner no.1, hence



the accusation has been levelled maliciously at the behest of adversary of the petitioner. The accusation has been levelled against 11 named and 300-400 unknown persons. The accusation against the petitioners are omnibus and general. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Considering the fact that omnibus and general accusation has been levelled against the mob, coupled with statement made in paragraph no.3 of the petitions that the petitioners are not having any criminal antecedent, the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of 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 Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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