

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50120 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

- =====
1. Om Prakash Yadav, Son of Madan Yadav.
 2. Dinbandhu Mehta, Son of Dukhilal Mehta.
- Both residents of village - Bhelwa, P.S. - Gamharia, District - Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 20-06-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Gamharia P.S. Case No.84 of 2016/G.R. No.871 of 2016 registered under Sections 147, 148, 149, 341, 323, 353, 307, 337, 338 and 427 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that on 02.06.2016, the informant alongwith other police officials were deputed for performing the duty at Gamharia Block for smooth counting of the votes of Panchayat Election. During the counting of the votes, when Anita



Devi, wife of Shyam Yadav, was found leading by 54 votes, the supporters of Meena Devi, wife of Narendra Yadav, made demand for recounting of the votes and when the same was not done, the supporters of Meena Devi, wife of Narendra Yadav, (31 named in the F.I.R. including the petitioners, 200-250 unknown male and 40-50 unknown female) breaking the gate of the Block Office, entered into the counting centre and tried to enter in the counting hall. When they were prevented from entering into the counting hall by the police administration, they started pelting bricks stones upon the police party and when the informant alongwith other police officials tried to disburse the mob, the accused persons started making fire in which three police officials, namely, Dudhnath Singh, Sanjay Singh and Hawaldar Lakhan Lal Singh sustained serious injuries.

Learned counsel appearing on behalf of the petitioners submits that while the petitioners are named in the F.I.R. but no specific overt act has been attributed to them. The petitioners have no criminal antecedent. Further submission is that the similarly situated some of the co-accused have already been granted anticipatory bail by a Bench of this Court vide order dated 16.12.2016 passed in Criminal Misc. No.49989 of 2016.

Having considered the facts and the circumstances of



the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their 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, Madhepura, in connection with Gamharia P.S. Case No.84 of 2016/G.R. No.871 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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

