

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1290 of 2017

Arising Out of PS.Case No. -123 Year- 2016 Thana -JAGDISHPUR District- BHAGALPUR

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Rakesh Kumar S/o Shri Choudhary Mandal

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 16-01-2017

Heard both sides.

The petitioner apprehends his arrest in Jagdishpur P.S. case No. 123 of 2016 under Section 302 and other Sections of the Indian Penal Code.

The informant alleged that on two polling booths villagers assembled and started protesting against peaceful polling. They have confined the polling officer in a room. The informant arrested 22 persons and alleged that others managed to flee away. It is alleged that petitioner being the husband of the candidate of Mukhiya was instigating the mob.

The learned counsel for the petitioner submits that wife of the petitioner was apprehended by the police on the spot. The petitioner was not apprehended on the spot but because the petitioner is husband of Losi Kumari, a candidate of Mukhiya, he



has been implicated in the case. No specific allegation is made against the petitioner.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in Jagdishpur P.S. Case No. 123 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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