

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2850 of 2017

Arising Out of PS.Case No. -69 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

=====

1. Dezy Kumari @ Dezy Devi, W/o Babloo Kumar,
2. Durgesh Kumari @ Durgesh Devi, W/o Deepankar Kumar,
Both resident of Village- Dumri, P.S.- Barahiya, Distt- Lakhisarai.
.... Petitioners

Versus

The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Raju

For the Opposite Party/s : Mr. Sri Yogendra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 09-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with Barahiya P.S. Case No. 69 of 2016 registered for the offences punishable under Sections 147, 148, 149, 307, 353, 427, 337, 171(F) of the Indian Penal Code and Sections 130(2), 131 (2) of R.P.Act.

Allegedly, Dezy Kumari petitioner no. 1 was convincing the voters within 100 yards from the polling booth and when DDC, Lakhisarai and other police officials objected, then, she came at the booth and poured ink in ballot box and her supporters started throwing bricks damaging the vehicle of DDC, Lakhisarai, resulting, the election was postponed. It is alleged that after asking from police personnel and electoral party the names of petitioner no. 2 and others transpired.

Submission is of false implication and that against the petitioners no offence is made out, no injury has been caused to anyone,



there is no any injury report and as such the petitioners deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering the specific allegation against petitioner no. 1, I am not inclined to grant privilege of pre-arrest bail to her, accordingly, her such prayer stands rejected.

So far as petitioner no. 2 is concerned, there being no specific allegation, petitioner no. 2, in case of her surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of 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, Lakhisarai in connection with Barahiya P.S. Case No. 69 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

avin/-

(Jitendra Mohan Sharma, J)

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

