

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41675 of 2018

Arising Out of PS. Case No.-102 Year-2016 Thana- RUPAULI District- Purnia

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1. Bhushan Sharma, Son of Sri Baleshwar Sharma.
 2. Bibekanand Singh, Son of Sri Nageshwar Sharma, All resident of Village- Navtoliya, P.S. Rupauli (Mohaupur), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Rupauli (Mohanpur) P.S. case no. 102 of 2016 instituted for the offence under Section(s)144, 147, 148, 149, 353, 188, 186, 327, 427, 332 and 171(F) of the Indian Penal Code.

Learned counsel for the petitioners has submitted that although petitioners are named in the FIR but there is general and omnibus allegation against them.

In the written report, it is alleged that during election 200-300 unknown persons forming an unlawful assembly with their common intention of all having *lathi danda* came on Booth No. 43 and attempted to loot the aforesaid booth and thereby made obstruction in



election work.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Rupauli (Mohanpur) P.S. case no. 102 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the ACJM 1st Purnea, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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