

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.59983 of 2019

Arising Out of PS. Case No.-123 Year-2019 Thana- DULHIN BAZAR District- Patna

1. SANTOSH KUMAR, aged about 28 years, Male, Son of Bindeshwar Yadav, Resident of Village- Sarkuna, P.S.- Dulhin Bazar, District- Patna
2. Bhushan Kumar Yadav @ Bhushan Kumar @ Prem Kumar Singh, aged about 23 years, Male, Son of Krishna Yadav, Resident of Village- Sarkuna, P.S.- Dulhin Bazar, District- Patna ... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Prem Ranjan Kumar, Adv.

For the Opposite Party : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Dulhin Bazar P.S. Case No. 123 of 2019 for the offences alleged under Sections 147, 148, 149, 353, 323, 307, 188, 337, 427, 171F and 332 of the Indian Penal Code and 132 and 136 of the Representation of People Act.

The accusation is that informant, Nirbhay Kumar Singh, being the Assistant of the Directorate of Agriculture, Bihar Government, was deputed as Presiding Officer of Poling Booth No. 102 in village Sarkuna on 19.05.2019. On the day of election in the noon some persons came at the booth and started to create nuisance at Poling Booth by raising hulla. In the meantime, police patrolling party in the leadership of Officer-in-Charge of Dulhin Bazar Police Station reached there, then, all started to flee away, but, one was apprehended, who disclosed



his name as Yash Kumar and he also disclosed the names of ten persons, including the petitioners, indulged in creating the nuisance.

The submission of the learned counsel for the petitioners is that the names of the petitioners have come in the confessional statement of co-accused, Yash Kumar, who is said to be apprehended by the patrolling party near poling booth. Both the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Dulhin Bazar P.S. Case No. 123 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, III, Danapur, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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