

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52471 of 2023**

Arising Out of PS. Case No.-219 Year-2023 Thana- RAFIGANJ District- Aurangabad

Anil Kumar @ Anil Mishra Son Of Late Nand Kishore Mishra Resident Of
Village- Kajpa, Police Station- Rafiganj, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyanand Sharma, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

2 23-08-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Rafiganj P.S. Case No. 219 of 2023, registered for the
offences punishable under Sections
307,147,149,341,323,186,188,504,353,354,427 of the Indian
Penal Code.

3. Allegation against the petitioner is that he being the
husband of the candidate for the post of Mukhiya indulged into
an open fight between the supporters of rival candidates due to
which a serious law and order problem has arisen during the
course of election. It is further alleged that the petitioner and
others also created problems and objected the police personnel



in discharging their official duties.

4. Learned counsel appearing on behalf of the petitioner submits that the FIR has been instituted against 24 named accused persons and 150-200 unknown persons. The petitioner has been made accused only in the capacity of he being the husband of the Mukhiya candidate without there being any specific allegation. He next submits that during the course of election on account of some allegation of bogus voting, the members of two rival groups have indulged into an open fight which has resulted into injuries to some of the persons but neither there is any allegation of instigation against the petitioner nor his active participation. He lastly submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks



from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 219 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

Anjani/-

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

