

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77070 of 2018

Arising Out of PS. Case No.-353 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Dinesh Sah, Son of Kanhaiya Sah, Resident of Village- Jaisinghpur Durga
Chauk, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Turkauliya P.S. Case No. 353 of 2018
registered for the offence punishable under Sections 147, 148,
149, 120B, 341, 323, 326, 307, 332, 353/34 of the Indian Penal
Code, 1860.

Informant is the police officer, who in his self
statement has stated that he received information that Dilip
Yadav and 300-400 persons with common intention variously
armed came at the plot of Yado Lal Sah to grab the property and
thereafter all the accused persons came to the house of Ganesh
Sah and demolished the boundary wall and then came to the



house of informant and set fire his house by sprinkling kerosene oil and pertol and they created obstruction to the police official during the official duty and they also assaulted to the police official.

It has been submitted on behalf of the petitioner that there is no specific allegation of assault against petitioner, there is general and omnibus allegation against all the accused persons. It has been further submitted that similarly co-accused persons have been granted bail by the court below itself as contained in Annexure-2. Petitioner is in custody since 04.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkauliya P.S. Case No. 353 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and



sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers 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 petitioner.

(S. Kumar, J)

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