

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68819 of 2018

Arising Out of PS. Case No.-433 Year-2015 Thana- TURKAULIYA District- East
Champaran

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1. Ginnilal Sah @ Ginnilal @ Genalal Sah, Son of Shiv Nandan Sah,
 2. Rooplal Sah, Son of Ginnilal Sah @ Ginnilal @ Genalal Sah,
 3. Kanti Kumari, Daughter of Ginnilal Sah @ Ginnilal @ Genalal Sah.
 4. Gujurani Devi, Wife of Ginnilal Sah @ Ginnilal @ Genalal Sah,
 5. Anjani Kumari, Daughter of Ginnilal Sah @ Ginnilal @ Genalal Sah, All residents of Village- Siswa, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners seek pre-arrest bail in connection
with Turkauliya (Banjariya) P.S.Case No. 433 of 2015
registered under Sections 147, 148, 149, 326, 323, 325, 379 and
504 of the Indian Penal Code.



It is contended by the learned counsel for the petitioners that all sections areailable, except Sections 326, 325 and 379 of the Indian Penal Code. It is further contended that the allegation of theft is ornamental in nature and as far as petitioner nos. 2 to 5 are concerned they have not caused any injury which can be called to be grievous in nature.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioners.

Considering the allegation that it was petitioner no. 1, Ginnilal Sah, who is alleged to have assaulted informant, Savitri Devi by means of iron rod as a result of which her teeth were broken, I am not inclined to grant him pre-arrest bail. His application for grant of pre-arrest bail is rejected.

As far as the other petitioners, namely, Rooplal Sah, Kanti Kumari, Gujurani Devi and Anjani Kumari are concerned, since there is general and omnibus allegation against them, in the event of their arrest or surrender before the court below within six weeks from today, they are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya (Banjariya)



P.S.Case No. 433 of 2015, subject to the conditions as laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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