

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11781 of 2019

Arising Out of PS. Case No.-352 Year-2018 Thana- TURKAULIYA District- East
Champaran

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1. VINAY RAI @ VINAY KUMAR Son of Late Achhelal Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 2. Baiju Rai Son of Late Achhelal Rai. Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 3. Bipin Rai @ Bipin Kumar Son of Jadolal Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District- East Champaran.
 4. Subodh Rai @ Subodh Kumar Yadav Son of Jadolal Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District- East Champaran.
 5. Chandra Kishore Rai Son of Late Darshan Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 6. Hira Lal Rai @ Hira Rai Son of Late Darshan Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 7. Arvind Rai @ Arvind Kumar Son of Hira Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 8. Ashok Rai Son of Bhagwan Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 9. Brajesh Kumar Son of Bidya Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 10. Bidya Rai Son of Late Ramautar Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 11. Arjun Rai @ Arjun Kumar Yadav Son of Madan Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 12. Madan Rai @ Madan Prasad Yadav Son of Late Gorakh Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 13. Dinesh Kumar Son of Ramnath Yadav Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 14. Mahanth Rai @ Mahang Rai Son of Late Bhikham Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 15. Sukan Rai Son of Late Bhikham Rai. Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 16. Ramnath Rai Son of Late Bhikham Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 17. Upendra Rai @ Upendra Yadav Son of Bindeshwari Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 18. Niraj Kumar Son of Bagad Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
 19. Mahesh Rai Son of Late Ramautar Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.



20. Chotelal Rai Son of Sukul Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
21. Shivshankar Rai Son of Late Rameshwar Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
22. Prabhu Rai Son of Late Lagan Rai Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
23. Paltu Sah Son of Chanar Sah Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
24. Chanar Sah Son of Late Kashi Sah Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
25. Kanhaiya Sah Son of Late Kashi Sah Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
26. Munni Lal Sah Son of Late Sukhal Sah Resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.
27. Subodh Rai Son of Nathu Rai All resident of Village- Jaisinghpur Bandraha, P.S.- Turkauliya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 26-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 120(B), 342, 323, 307, 379, 436, 427 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons



along with others having armed with deadly weapons, came at the plot of Yado Lal Sah and on instigation of one Dileep Yadav, all the accused persons set the house of the informant and four others on fire.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. None is said to have been injured in course of occurrence. No offence u/S 307 of the Indian Penal Code is made out. The alleged occurrence is said to have taken place due to land dispute. General and omnibus allegation has been made against the petitioners. Altogether 67 persons have been named in the FIR along with 150-200 unknown persons.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each 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. 352 of 2018, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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