

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31976 of 2015

Arising Out of PS.Case No. -134 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

Brij Nandan Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha--Advocate

For the Opposite Party/s : Mr. Navin Kr.Panday(A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 15-10-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

A written report was filed by the informant, Barun Ram disclosing therein that on 13.03.2015 at about 12.00 noon, Brij Nandan Rai came along with ten persons, who directed him to leave the place. On protest that he along with his brothers happens to be owner of the land, Brij Nandan lit fire in his house. As the prosecution party engaged in extinguishing the same, all the remaining accused again lit fire on account of which, the houses, grains, clothes etc. completely burnt. The aforesaid event is found fully corroborated with Para-6, the objective finding of the I.O. However, from Annexure-2, a report dated 06.02.2013 submitted by the police official for drawing a proceeding under section 107 of the Cr.P.C. against the parties wherefrom it is evident that police had, during

course of inspection, found that the prosecution party were adamant to go over the land and erect a hut as a result of which, there was apprehension of breach of peace and further, requested for drawing a proceeding under Section 107 Cr.P.C. That means to say, the hut in question was erected subsequently.

In the aforesaid facts and circumstances of the case, petitioner, **Brij Nandan Rai** is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P. S. Case no.134 of 2015.

(Aditya Kumar Trivedi, J)

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