

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33262 of 2015**

Arising Out of PS.Case No. -56 Year- 2015 Thana -BOCHHA District- MUZAFFARPUR

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1. Hari Nath Shahi S/o Late Baleshwar Shahi  
2. Sonu Kumar S/o Hari Nath Shahi All Resident of Choumukh, P.S.  
Bochahan, Distt. - Muzaffarpur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. S.N Shukla (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

3      15-10-2015                      Heard both sides.

The petitioners apprehend their arrest in Bochaha P.S.  
Case No. 56/2015, registered for the offences punishable under  
Sections 427, 436, 504, 506, 34 of the Indian Penal Code.

The informant alleged that the petitioners and 11 other  
accused persons cut his ten green trees. Petitioners were talking to  
set ablaze the house of the informant in the night.

It is submitted that the informant is not an eye-witness  
of the occurrence. The informant himself set his hut ablaze and  
lodged this case only to implicate the petitioners because there is  
land dispute between them. The Sarpanch of the Panchayat filed a  
petition before the Officer-in-Charge stating the fact that Rakesh  
Kumar Singh is said to have put of fire his hut himself and implicated

the petitioners. There is land dispute between the parties.

Considering the facts aforesaid and the fact that the informant is not an eye-witness of the occurrence, the petitioners above named in the event of their 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, are directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Divya Vashishtha, Judicial Magistrate 1<sup>st</sup> Class, Muzaffarpur in connection with Bochaha P.S. Case No. 56/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Prabhat Kumar Jha, J.)**

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