

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38707 of 2016

Arising Out of PS.Case No. -280 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

- =====
1. Sunil Hari.
 2. Manoj Hari @ Manoj Kumar.
 3. Krishna Hari @ Krishna Kumar Hari, all sons of Late Fuleshwar Hari.
 4. Pritam Hari @ Pritam Kumar.
 5. Uttam Hari @ Uttam Kumar.
Both sons of Subhash Hari.
 6. Neelam Devi @ Reeta Mehtarani wife of Subhash Hari.
 7. Sonu Hari @ Kumar Shanu, Son of Sunil Hari.
 8. Bikash Hari @ Bikash Kumar, Son of Late Bilash Hari.
 9. Gautam Hari, Son of Baba Hari @ Baidyanath Hari.
 10. Reena Devi @ Reena Kumari, Wife of Shyam Hari.
 11. Shyam Hari @ Mehtar, Son of Late Ram Nagina Mehtar.
All resident of Mohalla- Amrit Lal Lane, Barari, Police Station- Barari,
District- Bhagalpur.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioners : M/s. Awadhesh Kumar Mishra, Ajay Kumar and
Manoj Prabhakar, Advocates.

For the State : Mr. Sri Uma Shankar Prasad Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 18-10-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Kotwali (Barari) P.S. Case No.280 of 2016 registered under
Sections 147, 148, 149, 323, 341, 324, 427, 307 and 436 of the
Indian Penal Code.

The allegation of the informant Parvati Devi is that on 19.06.2016 at about 08.15 P.M., 13 F.I.R. named accused including the petitioners entered her house, dragged her brother-in-law Ranjit Hari, locked him in a room and caused injury to him through knife. When the nephews of the informant, namely, Jitendra Hari, Sagar Hari and Santosh Hari, and her husband, namely, Babloo Mehtar rushed to save him, they were also assaulted by them through rod and knife. Thereafter, all the accused set her house on fire.

Learned counsel appearing on behalf of the petitioners submits that, in fact, due to land dispute, the occurrence took place in course of which Subhash Hari, father of petitioner nos.4 and 5, Pritam Hari alias Pritam Kumar and Uttam Hari alias Uttam Kumar respectively, petitioner no.3 Krishna Hari alias Krishna Kumar Hari and Anita Kumari, the daughter of Subhash Hari also sustained injuries regarding which on the basis of the written report of Subhash Hari, Kotwali (Barari) P.S. Case No.279 of 2016 under Sections 147, 148, 149, 323, 324, 307, 379, 354(A) and 448 of the Indian Penal Code was instituted against the husband of the informant and others. Further submission is that it would appear from paragraph-13 of the case diary that the I.O. found the sign of burning on bamboo and plastic in the Khaprail

house, which is not the residential house of the informant and only to implicate the petitioners, the informant and her family members burnt bamboo and plastic in the Khaprail house.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Barari) P.S. Case No.280 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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