

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29703 of 2019

Arising Out of PS. Case No.-170 Year-2017 Thana- SANHAULA District- Bhagalpur

1. DINESH HARIJAN Son of Late Ramphal Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
2. Hira Harijan @ Hir Harijan Son of Genu Harijan @ Ganu Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
3. Birbal Harijan Son of Genu Harijan @ Ganu Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
4. Pankaj Harijan Son of Sibal Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
5. Ashok Harijan @ Ashok Kumar Son of Dinesh Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
6. Pradeep Harijan Son of Dinesh Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
7. Gidra Harijan son of Rajendra Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
8. Rampravesh Harijan Son of Patel Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
9. Sanichar Harijan Son of Banarsi Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
10. Jiccho Harijan Son of Late Medho Harijan @ Maghu Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.
11. Shibal Harijan Son of Late Govind Harijan Resident of Village- Maheshpur, Police Station- Sanhaula, District- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-05-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Sanhaula P.S. Case No. 170 of 2017 for the offence punishable
under Sections 447, 147, 149, 341, 323, 354B, 379, 376, 384,



504 and 506 of the Indian Penal Code.

There is allegation against all the persons, named in the First Information Report, of having participated in felling of babool tree located in the informant's land. There is allegation against petitioner No.1 of having established physical relationship with the informant on assurance that he would ensure that she gets possession over the said piece of land, which she had purchased. The petitioners No.1 and 2 have criminal antecedent, as stated in the paragraph 3 of the application.

Learned counsel appearing on behalf of the petitioners has, however, submitted that all the cases have been instituted because of land dispute and at least two of them have been lodged by the informant herself.

Considering the above submission and the facts and circumstances, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur, in Sanhaula P.S. Case No. 170 of 2017, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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