

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62037 of 2019

Arising Out of PS. Case No.-278 Year-2019 Thana- KAHALGAON District- Bhagalpur

1. TULSI HARIJAN, Son of Sri Ram Narayan Harijan
2. Rekha Devi W/o Sri Ram Narayan Harijan
Both are Residents of Village - Jaytipur, P.S.- Shivnarayanpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-10-2019 The petitioners apprehend their arrest in connection with Kahalgaon (Shivnarayanpur) P. S. Case No. 278 of 2019 registered under Sections 323,341,436,504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is that petitioners along with other co-accused person, namely, Ram Narayan Harijan set the hut of the informant on fire in which one goat of the informant burnt.

Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in this case inasmuch as the occurrence has allegedly taken place on 30.04.2019 but the present FIR has been lodged on 05.05.2019



which is an after thought. He further submits that from perusal of the FIR, it appears that the allegation is against Ram Narayan Harijan and petitioner no. 1 is his son and petitioner no. 2 is mother of petitioner no. 1. He submits that both petitioners have merely been implicated in this case on the basis of the fact that they happened to be the relative of Ram Narayan Harijan and there is land dispute between the informant and Ram Narayan Harijan in which a proceeding under Section 144 Cr.P.C. has already been initiated and Ram Narayan Harijan has filed a complaint before the D.I.G., Bhagalpur on 03.05.2019.

Having regard to the submissions made by the parties and taking into consideration the fact that there appears to be a land dispute between the father of the petitioner no. 1 and the informant and there is no specific allegation against the petitioners as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Kahalgaon



(Shivnarayanpur) P.S.Case No. 278 of 2019; subject to
condition as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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