

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43172 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- JAGDISHPUR District- Bhagalpur

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1. Gena Harijan @ Gena Das S/O Late Parmeshwar Das Resident of Village-Kola Narayanpur, P.S-Jagdishpur, District-Bhagalpur
 2. Jagjivan Das alias Jagjivan Ram Gena Harijan alias Gena Das resident of Village-Kola Narayanpur, P.S-Jagdishpur, District-Bhagalpur
 3. Shivam Kumar alias Shiv Kumar Birbal Harijan alias Birbal Das resident of Village-Kola Narayanpur, P.S-Jagdishpur, District-Bhagalpur
 4. Neha Devi alias Neha Kumari Gena Harijan alias Gena Das R/o Village-Gobindpur, P.S-Madhusudanpur, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Manoj Kumar Jha, Advocate
For the State : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-12-2025 Heard Mr. Manoj Kumar Jha, learned counsel

appearing on behalf of the petitioners and Mr. Umeshanand

Pandit, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case
registered for the offence punishable under Sections 103(1),
61(2) and 3(5) of the B.N.S..

3. As per prosecution case, all the F.I.R. named
accused persons, including these petitioners killed the deceased,



namely Tulsi Kumar. The dead body was found hanging and there was no *ante mortem* injury on the body of the deceased.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. From bare perusal of the F.I.R. it is apparent that informant is not an eye witness of the occurrence. Petitioners have falsely been implicated in this case merely because they happen to be family members of co-accused Rina Devi, with whom the deceased had love affair. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and during investigation, ample material has come to show that these petitioners, who are family members of co-accused Rina Devi, due to love affair between Rina Devi and deceased Tulsi Kumar, killed the deceased. One ligature mark was found on the neck of the deceased.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and materials that have surfaced during course of investigation,



the prayer for grant of anticipatory bail to the petitioners is
rejected.

(Prabhat Kumar Singh, J)

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