

Bail Petition No. 343/2026
(Arising out of Jagdishpur P.S. Case No. 55/2025)
U/s 103(1), 61(2), 3(5) BNS.
Gena Harijan @ Gena Das & Ors. versus The State of Bihar

1. Gena Harijan @ Gena Das, age 70 years, S/o Lt. Parmeshwar Harijan @ Parmshwar Das.

2. Jagjivan Das @ Jagjivan Ram, age 39 years, S/o Gena Harijan @ Gena Das.

R/o Village- Koanarayanpur, P.S- Jagdishpur, District- Bhagalpur.

.....Petitioners

Versus

The State of Bihar

.....Opposite Party

For the Petitioners : Md. Jalaluddin, Ld. Advocate.

For the State : Mr. Vijay Kumar Singh, Additional P.P.

Date of order or proceeding	Order with signature of the court	Office action taken with date
2	3	4
04-05-2026	The accused-petitioners namely Gena Harijan @ Gena Das and Jagjivan Das @ Jagjivan Ram who are in custody since 18-03-2026 has filed this bail petition in connection with Jagdishpur P.S. Case No. 55/2025 registered under section 103(1), 61(2), 3(5) of BNS. On behalf of the petitioners a certificate has been given in Para 2 of petition that earlier petitioners have filed anticipatory bail ABP 2830/25 which has been rejected vide order dt. 16-05-2025 by the then predecessor of this Court. Thereafter the petitioners filed anticipatory bail petition before the Hon'ble High Court, Patna which was rejected vide order dt. 09.12.2025 in Cri. Misc 43172/2025. Thereafter, the petitioner has not filed any bail petition in any form on previous occasion either in the court of Learned Sessions Judge, Bhagalpur or before the Hon'ble High Court Patna. Further, the petitioners bear clean antecedent as per Para 3 of bail petition. As per prosecution case, in the night of 13-03-2025 Rani Devi called informant's son Tulsi Kumar and asked him to come to her. The accused persons Birbal Das, Gena Das and Jagjivan Das had earlier threatened Tulsi Kumar to kill due to love affairs between Tulsi and Rani Devi. After that he slept waiting Tulsi Kumar. When in the morning 04:00 hours he and his wife woke up to go for attend the call of nature, they saw that the dead body of Tulsi Kumar was hanging with iron rod near the toilet room. Then, he placed the dead body of Tulsi Kumar on the ground with the help of another family member. On being noise the villagers gathered and Mithun Das informed the police. He has further alleged that accused persons Birbal Das, Jagjivan Das, Gena Das, Shivam Kumar, Suman Devi, Neha Devi and Rani Devi have killed Tulsi Kumar. The learned counsel for the petitioners submitted that the petitioners are innocent and	

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have committed no offence. The petitioners have been falsely implicated in this case due to dirty village politics. He further submitted that there is no eye witness to the of the incident. Petitioners are in custody since 18-03-2026. Hence, it is prayed to enlarge the petitioners on bail.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail.

Heard both sides. Perused the case diary. Having regard to the facts and circumstances of the case this court finds that there are allegations that the accused persons including petitioners have caused death of Tulsi Kumar. The post-mortem report of Tulsi Kumar shows one ligature mark 0.5” wide was present over back of neck horizontally going towards from neck. The above noted injuries were antemortem and grievous in nature and cause compression of neck by a ligature material consistent with ligature strangulation. The death was due to asphyxia and venous congestion. The witness in para 06 of the case diary stated that the family of Tulsi Kumari and family of Rani were under a lot of pressure due to love affairs of Tulsi and Rani, and the family member of Rani have caused death of Tulsi Kumar. This court further finds that it was Rani who called Tulsi Kumar in night to meet and after that the dead body of Tulsi was found. From perusal of TCR it appears that charge has been framed against the other co-accused persons and the witnesses examined on behalf of prosecution have also supported the prosecution case. Supplementary investigation is still pending against four accused persons including the petitioners.

Considering the aforesaid facts and circumstances, seriousness of allegations alleged against the petitioners and supplementary investigation is still pending against the petitioners, this court is not inclined to enlarge the petitioners on bail. Accordingly, prayer for grant of bail of the above named petitioners stands rejected is **Rejected**.

SD/-

District & Additional Sessions Judge- I
Bhagalpur.

IN THE COURT OF SRI RAJ NARAYAN NIGAM, DISTRICT & ADDITIONAL SESSIONS JUDGE- I,
BHAGALPUR

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IN THE COURT OF SRI RAJ NARAYAN NIGAM, DISTRICT & ADDITIONAL SESSIONS JUDGE- I,
BHAGALPUR

Bail Petition No. 343/2026

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