

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29732 of 2014**

Arising Out of PS.Case No. -31 Year- 2014 Thana -BHANGWANPUR HAT District- SIWAN

1. Sonu Kumar Ojha, Son of Kameshwar Ojha, Resident of Village - Korla  
Tola Tekra Rai, P.S. - Bhagwanpur, District - Siwan

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Anil Kr.Singh 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
ORAL ORDER

2      14-01-2015                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner, apprehending his arrest in connection  
with Bhagwanpur Hat P.S. Case No. 31 of 2014 registered for the  
offences punishable under Sections 323, 341, 342, 342, 379,  
406/34, seek the privilege of pre-arrest bail.

Allegedly, the petitioner being the Munshi of the  
informant after gaining confidence, withdrew the amount by  
A.T.M. cards, which were given by the complainant and when the  
complainant reached Delhi on 07.09.2013, he did not find the  
petitioner there and after enquiry, he came to know that the  
petitioner has been absconding for two days and further came to  
know that articles worth Rs. 1,00,000/- was found missing and the  
petitioner has sold the same somewhere and when the informant  
went at the house of the petitioner and asked him about the same,

he abused and threatened to kill him and also to implicate him in false kidnapping case.

Submission is that the petitioner is innocent and has committed no offence. The informant is a man of clever conduct and only with a view to pressurize him, the informant has lodged the case and as a matter of fact, the informant has not given the wages and when the demand was made, he implicated the petitioner falsely.

The learned counsel for the informant and the learned A.P.P. oppose the prayer of pre-arrest bail.

Considering the submissions and noticing that besides the allegation, there is no document to prove the fact that the petitioner misappropriated or sold the articles and as such, the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Bhagwanpur Hat P.S. Case No. 31 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Jitendra Mohan Sharma, J.)**

Vats/-

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