

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28423 of 2017

Arising Out of PS.Case No. -125 Year- 2016 Thana -PANCHRUKHI District- SIWAN

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Birendra Kumar Ojha, son of Bashishth Ojha, resident of Village-
Kumhaila, P.S.- Isuapur, District- Chapra (Saran).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kiran Kumari, wife of Birendra Kumar Ojha, D/o Nagendra Singh,
resident of Village- Jaskauli Pakalpati, P.S.- Pachrukhi, District- Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner, learned APP
for the State and counsel for the informant.

The petitioner is apprehending his arrest in a case
registered under Sections 498(A) of the Indian Penal Code.

Allegation is that the accused persons including the
petitioner tortured the complainant for demand of Alto car and
also ousted her from the house.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioners. The
petitioner has falsely been implicated in the present case. Though
the petitioner being husband, for no fault of his he has been made



accused in the present case. The petitioner has further relied upon the decision of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & ors. vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the counsel for the informant, it is submitted that the informant is not ready to stay with the petitioner. On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. VI, Siwan in connection with Pachrukhi P.S. case No.125 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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