

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22912 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Shiv Pujan Ojha, Son of Late Inarman Ojha.
2. Sarita Devi, Wife of Pappu Ojha.
3. Chutun Ojha @ Chutun Kr. Ojha, Son of Suryadeo Ojha,
4. Pappu Ojha, Son of Brahmdeo Ojha, All are resident of Village-
Bhutaha, Police Station- Paharpur, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate
For the Opposite Party : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-04-2018 Heard counsel for the petitioners and APP for the
State.

The petitioners apprehend their arrest in a case registered under sections 147, 341, 323, 324, 307, 427, 379 and 504 of the IPC.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent and the allegation of assault is in course of a land dispute between the parties. Petitioner no.1 has lodged FIR as Paharpur Police Station Case No. 11/2018. He submits that in retaliation the instant case has been lodged against the petitioner against whom there is no specific allegation except for general and omnibus allegation of assault by *lathi, danda, fists* etc. and causing



destruction in the shop, and the specific allegation is against one Raju Ojha and Vijay Ojha.

In the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest within six weeks, let all the four petitioners above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Paharpur Police Station Case No. 12 of 2018 on the following conditions:-

(a) One of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners.

(b) They will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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