

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5863 of 2019

Arising Out of PS. Case No.-78 Year-2017 Thana- SAHAJITPUR District- Saran

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1. Dhiranjan Ojha @ Dilranjan Ojha, S/o Tuntun Ojha
 2. Tuntun Ojha, S/o Late Dashrath Ojha
 3. Gunjan Kumar @ Gujan Kumar @ Gunjan Ojha, S/o Late Sunil Ojha
- All are residents of Village – Kolhua, Police Station – Sahajitpur, District – Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Sahajitpur P.S. Case No.78 of 2017,
registered for the offences punishable under Sections 147, 143,
323, 341, 332, 333, 353 and 501 of the Indian Penal Code.

Allegation has been made that the informant
received the information that certain persons were gathered for
taking possession of the house, the police party had rushed to
the place where they were assaulted by fists and slaps.

Considering the fact that the petitioner no.1 is said
to be order giver and there is no specific allegation against the



petitioner no.2, let the petitioner nos.1 and 2, above named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VIII, Saran at Chapra, in connection with Sahajitpur P.S. Case No.78 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that whenever the police will call the petitioner nos. 1 and 2 for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

So far the bail of petitioner no.3, namely, Gunjan Kumar @ Gujan Kumar @ Gunjan Ojha is concerned, the same is rejected.

However, if the petitioner no.3 surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order on the same day without being influenced by



the order of this Court.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan

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