

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68539 of 2019

Arising Out of PS. Case No.-206 Year-2018 Thana- BIHIA District- Bhojpur

Uday Narayan Ojha Son of Late Nagendra Ojha @ Bachcha Ojha, Resident
of Village - Nawadih, P.S.- Behea, District- Bhojpur

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate
For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

Petitioner in the present case is seeking regular bail in connection with Behea P.S. Case No. 206 of 2018 registered for the offences punishable under Sections 147, 148, 149, 341, 302, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the specific overt act of assault and firing at the deceased has been made against different persons and the petitioner has been shown as one among 10 who reached at the spot. The petitioner has remained in custody since 02.08.2019.

Learned A.P.P. for the State and learned counsel for



the informant have opposed the prayer for bail.

Considering the facts and circumstances of the case, wherein four co-accused have been specifically named as the persons who caught hold of the deceased Ranjit Bahadur and two co-accused have been specifically named as the persons who shot at him with rifle and thereby committed murder but no specific allegation or commission of any overt act is against this petitioner, the petitioner has remained in custody since 02.08.2019 and the investigation is already complete, let the petitioner above named be released on bail in connection with Behea P.S. Case No. 206 of 2018 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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