

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65908 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- HATHAURI District- Muzaffarpur

Devratan Ojha @ Dev Ratan Kumar, Gender – Male, aged about 16 years,
Son of - Mukteshwar Ojha, Resident of Village- Amma, P.S.- Hathauri,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Hathauri P.S. Case No. 37 of 2019 registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

The prosecution case in brief is that on 13.03.2019 at
about 5.30 A.M., the informant's daughter Usha Devi informed
her that her uncle had been killed by slitting of the neck. The
informant rushed to the house of her daughter and found
RamBabu Ojha smothered in blood and his neck has been slit
and the body was lying in the bed. It is stated that 10 days prior
to the occurrence accused Ashok Ojha and Dev Ratan Ojha had



a tiff with the deceased over a land dispute. The accused persons has threatened to eliminate the entire family of the deceased. The deceased had adopted the son of the informant and expressed his desire to gift his share to the son of the informant. On 12.03.2019, the deceased had gone to Amma with the informant's son-in-law which has aroused the suspicion of the accused person's that the deceased was likely to execute deed transferring his property in favour of the informant's son. The informant has a strong suspicion that both the accused persons named in the F.I.R. have committed the offence.

Learned counsel for the petitioner submits that there is no eye witness of the occurrence and nobody has seen the petitioner committing the offence. He further submits that the petitioner has been falsely implicated in the present case. Learned counsel for the petitioner further submits that the petitioner has been implicated due to dispute over partition of the family property. Learned counsel for the petitioner further submits that the petitioner was working in a factory on the alleged date of occurrence in Pune and the muster card will bear the testimony of the same, which is annexed as Annexures 2, 2A and 2 B of the present bail application. The petitioner has been made accused on the ground of suspicion.



In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of ACJM, Muzaffarpur in connection with Hathauri P.S. Case No. 37 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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