

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34548 of 2019

Arising Out of PS. Case No.-80 Year-2018 Thana- EKMA District- Saran

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DHIRAJ OJHA @ DHIRAJ KUMAR OJHA S/o Santosh Ojha R/o Village-
Devadhiya, P.S.- Ekma, District- Saran.

... .. Petitioner.

Versus

1. THE STATE OF BIHAR.
2. Nitu Kumari D/o Banmali Ojha R/o village- Devadhiya, P.S.- Ekma,
District- Saran.

... .. Opposite Parties.

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Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Senior Advocate.
For the State : Mr. Ram Sevak Choudhary, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 08-03-2021 Heard learned Senior counsel for the petitioner and
the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Ekma P.S. Case No.80 of 2018 registered under Sections
341, 342, 323 and 376(G)/34 of the Indian Penal Code besides
Section 4 of the POCSO Act, pending in the court of the 1st
Additional Sessions Judge, Saran at Chapra.

Learned Senior counsel appearing on behalf of the
petitioner submits that, earlier, the prayer of the petitioner to
grant him the privilege of pre-arrest bail was rejected by a
Bench of this Court vide order dated 20.09.2018 passed in
Criminal Misc. No.57287 of 2018 on merit. Further submission



is that, now, the victim has filed Compromise Petition in the trial court.

Having considered the facts and the circumstances of the case and also considering that, earlier, the prayer of the petitioner to grant him the privilege of pre-arrest bail has already been rejected by a Bench of this Court vide order dated 20.09.2018 passed in Criminal Misc. No.57287 of 2018 on merit, I am not inclined to reconsider the prayer of the petitioner to grant him the privilege of pre-arrest bail. Accordingly, the prayer of the petitioner to grant him the privilege of pre-arrest bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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