

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57087 of 2021

Arising Out of PS. Case No.-330 Year-2020 Thana- BAGHA District- West Champaran

Pawan Ojha @ Abhishek Ojha, Son of Ajit Ojha Resident of Village -
Dhumnagar, Matariya, P.s.- Shikarpur, Distt.- west champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-11-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Md.
Fahimuddin, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain
bail in connection with Bagaha P.S. Case No. 330 of 2020
registered for the offences punishable under Section 394/120(b)
of the Indian Penal Code and Section 27 of the Arms Act. He is
in custody since 17.06.2020.

Earlier his prayer for bail was rejected by this Court
vide order dated 12.07.2021 passed in Cr. Misc. No. 36784/2020
after noticing that petitioner had not correctly stated his criminal
antecedents.

Learned counsel for the petitioner submits that



petitioner is not named in the First Information Report, there is no recovery from the possession of the petitioner and till date petitioner has not been put on Test Identification Parade. Learned counsel submits that petitioner has got four criminal antecedents and in all those cases he is on bail.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that petitioner is not named in the First Information Report, there is no recovery from the possession of the petitioner and till date he has not been put on Test Identification Parade as also that the petitioner has got four criminal antecedents and in all those cases he is on bail, in the present case petitioner is in custody since 17.06.2020, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 330 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

