

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30300 of 2021

Arising Out of PS. Case No.-140 Year-2020 Thana- BASANTPUR District- Siwan

Prince Ojha @ Prince Kumar @ Prince Kumar Ojha Son of Hari Kishore
Ojha Resident of Village - Bakhtauli, P.S. - Basantpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Mritunjay Kr. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through the virtual
court proceeding.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 341, 323, 324, 307, 337, 338, 188, 269, 290, 271, 504, 506
of the Indian Penal Code and Section 51 (b) of the N.D.M.A.
2005. Later on Section 302 of the IPC has been added.

Allegation against the petitioner is that he along with
other accused persons brutally assaulted the informant and Md.
Rafique Alam as a result of which Md. Rafique died on



20.04.2020.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioner and nothing specific has been attributed against him. He submits that FIR has been lodged against the petitioner along with 39 named accused persons and 40-50 unknown and there is no any specific allegation of assault against the petitioner. He submits that similarly situated co-accused have been granted bail by different coordinate Bench of this Court. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court



in connection with Basantpur P.S. Case No. 140 of 2020,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

