

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50429 of 2021

Arising Out of PS. Case No.-123 Year-2021 Thana- BANIAPUR District- Saran

HARE RAM OJHA Son of Brijendra Ojha R/o Village Sihoria, P.S.
Baniyapur, District - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Baniapur P.S. Case no. 123 of 2021 instituted for the offence under Sections 147, 341, 323, 324, 307, 354, 379 and 504 of the Indian Penal Code.

As per allegation in the FIR, when the informant was returning to his house, several named accused persons including the petitioner, armed variously, surrounded the petitioner and started to abuse and assault. It is further alleged that petitioner assaulted him by means of knife on his neck resulting into his both shoulders injury. Co-accused Bhushan Ojha assaulted his with *tangi* due to which his his leg and hand got fractured.



When the wife of the informant came there for his rescue, she was also beaten up by the accused persons and co-accused tore her clothe with bad intention.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Both parties are agnates. There is case and counter case. In the alleged occurrence, members of both side have received injuries. Petitioner has inflicted knife blow causing cut injury on the shoulder of the informant, which is not a vital part. Out of six injuries, two are grieves in nature i.e. fracture on hand and leg, which are caused by co-accused Bhushan Ojha and not by this petitioner.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Baniapur P.S. Case no. 123 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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