

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56353 of 2022

Arising Out of PS. Case No.-240 Year-2022 Thana- KANTI District- Muzaffarpur

Chunnu Ojha @ Ravindra Ojha Son of Late Brajkishor Ojha Resident of
Village - Madhukar Chapra, P.s.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 307, 337, 384, 504
and 506 of the Indian Penal Code.

According to prosecution case, the petitioner along
with two unknown persons demanded Rs. 1,00,000/- in
extortion failing which they threatened to kill the informant and
his family members. It is further stated that the petitioner threw
pebbles on his son, namely Satyam Kumar causing injury to
him.



Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that the present case is counter blast of the Kanti P.S. Case No. 260 of 2017. He further submits that there is admitted land dispute between the parties and the informant is agnate of the petitioner. He further submits that it appears from the F.I.R. that the allegation against the petitioner is that he has assaulted the son of the informant but the injury report of the son of the informant namely, Satyam Kumar suggests that the injury is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.06.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries six criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Kanti P.S. Case No. 240 of 2022, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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