

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56721 of 2022

Arising Out of PS. Case No.-673 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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Abhishek Ojha @ Abhishek Kumar Ojha S/O Om Prakash Ojha Resident Of
Village- Ambika Nagar, Milan Chowk, Motihari, P.S.- Banjaria, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-02-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Motihari (Mufassil) P.S. Case No. 673 of 2021 lodged under
Sections 395 and 412 of the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against 5 unknown accused persons, who looted the
petrol pump having articles amounting Rs. 1,00,000/- approx.

Learned counsel for the petitioner submits that
petitioner has been remanded in this case on 27.04.2022. He
further submits that his name has come in this case by virtue of

confessional statement of co-accused.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner having two criminal cases pending against him and he is on bail in both the cases. Counsel submits that nothing incriminating has been recovered from the possession of the petitioner nor petitioner has been put on T.I.P.

Upon specific query that whether charge has been framed or not, counsel submits that charge has not been framed yet.

Learned counsel for the State opposes the prayer for bail and from the order passed by the Supreme Court, it transpires that petitioner has been figured in the C.C.T.V. footage.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner.

With this observation, the bail application stands rejected.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail, after framing of charge.

Trial Court is directed to release the petitioner on bail,

imposing its own conditions, so that he may not evade his
appearance during trial.

(Dr. Anshuman, J.)

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