

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62969 of 2023

Arising Out of PS. Case No.-109 Year-2016 Thana- MASHRAK District- Saran

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SURENDRA KUMAR OJHA @ SURENDRA OJHA @ SUREN OJHA SON
OF LATE RAM JANAM OJHA VILLAGE NAWADA, PS- MASHRAK,
DIST- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-10-2023 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 307 and other allied Sections of the Indian Penal Code.

3. Allegedly, the petitioner assaulted his uncle i.e. the father of informant by means of spade on his forehead due to which he got injured.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the



petitioner. He submits that both the sides are agnates and there is an admitted land dispute between them. He further submits that the injuries are simple in nature. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of injury, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, 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 Mashrak P.S. Case No.109 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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