

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70162 of 2022

Arising Out of PS. Case No.-757 Year-2022 Thana- MUFFASIL District- West Champaran

AMRIT OJHA @ KUMAR AMRIT RAJ S/o Laddoo Ojha @ Sunil Kumar
Ojha R/o Village- Hanumat Nagar, P.S.- Bettiah Town(Kalibag), Distt- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra
For the Opposite Party/s : Mr. Ajay Kumar Jha
Mr. Abhishek Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 23-03-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Bettiah Mufassil P.S. Case No.757 of 2022, registered for the offence punishable under Sections 302, 201, 379 and 411 of the Indian Penal Code.

The allegation against the petitioner is that he is involved in the murder of the husband of the informant.

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. He submits that the petitioner is not named



in the FIR but during the course of investigation, one person was apprehended and he disclosed the name of the petitioner. Petitioner was not present at the place of occurrence nor was apprehended by the police. Nothing has been recovered from the possession of the petitioner. There is no eye witness in the present case. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that the petitioner is also involved in the present case.

Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, if the petitioner surrenders before the learned court below within a period of six weeks and seek for regular bail, the court below shall pass the order, same day in accordance with law considering the fact that the petitioner is a student and has no criminal history.

(Anjani Kumar Sharan, J)

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