

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79137 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- AZIMABAD District- Bhojpur

Prankush Ojha @ Amit Ojha S/O Late Baijnath Ojha R/O Village- Fuladi,
P.S- Sandesh, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Section 393 of the Indian Penal Code.

3. As per allegation in the FIR, while the informant was returning to home after closing his fruit shop by a motorcycle, he was surrounded by three unknown persons on bike who were carrying iron chain in their hands and tried robbing him of valuables and cash. They escaped from the place of occurrence when they saw a police van but the police intercepted them and arrested all the three persons including the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner and the chain with which the petitioner is alleged to have used to threaten the informant, has also not been recovered by the police and therefore this itself puts a doubt on the veracity of the case of prosecution. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 22.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur in connection with Azimabad P.S. Case No.71 of 2023.

(Sunil Kumar Panwar, J)

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