

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13779 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- KESARIA District- East Champaran

1. Sanjay Ojha @ Sanjay Kumar Jha S/o Late Kishun Ojha R/o vill - Lalachhapra, P.S. - Kesariya, Distt. - East Champaran
2. Vijay Ojha @ Vinay Ojha @ Vijay Jha S/o Late Kishun Ojha R/o vill - Lalachhapra, P.S. - Kesariya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

- 2 18-03-2024 1. Learned counsel for the petitioners seeks permission to withdraw the bail application in respect of petitioner no. 1, namely, Sanjay Ojha @ Sanjay Kumar Jha, since during the pendency of this case, he has been arrested.
2. Permission is accorded.
3. Accordingly, the bail application in respect of petitioner no. 1, namely, Sanjay Ojha @ Sanjay Kumar Jha is dismissed as withdrawn.
4. Heard learned counsel for the petitioner no. 2 and learned counsel for the State.
5. The petitioner apprehends his arrest in connection with Kesariya P.S. Case No. 345 of 2023 registered under



Sections 341, 323, 316, 354(B), 379, 504, 506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

6. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to land dispute and dirty village politics. Further submission is that the first information report has been lodged after a delay of 24 days. The specific allegation is against co-accused Sanjeev Ojha and Sanjay Ojha. The petitioner no. 2 has got no criminal antecedent.

7. Having considered the facts and circumstances of the case, let the petitioner no. 2, namely, Vijay Ojha @ Vinay Ojha @ Vijay Jha, be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of Additional Sessions Judge-VII, POCSO, Motihari, East Champaran in connection with Kesariya P.S. Case No. 345 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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