

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31770 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- SIKRAUL District- Buxar

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Brajesh Ojha @ Tappu Ojha @ Brajesh Kumar Ojha S/o Surendra Nath Ojha
Resident Of Village Near Shiv Mandir Godahiya, P.S - Sikraul, Distt. - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Sikraul P.S. Case No. 24 of 2024 dated 22.02.2024 registered for the offence/s punishable u/ss 25(1-B)a 26, 35 of the Arms Act.

3. As per the prosecution case, the petitioner and other co-accused persons are alleged to have indulged in buying and selling of illegal arms. From the possession of the co-accused, Bhola Bhar, a loaded country made gun, two live cartridges and a empty shell cartridge were recovered. Further the apprehended persons disclosed that the arms and ammunition were bought by the petitioner and co-accused persons.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner rather the allegation is general and omnibus in nature. The petitioner has three criminal antecedents and in all cases he is on bail as stated in para 3 of the bail petition. The apprehended co-accused person disclosed the name of the petitioner. No incriminating material was recovered from the conscious possession of the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Buxar in connection with Sikraul P.S. Case No. 24 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with a condition:

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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