

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60530 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- BIHIA District- Bhojpur

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1. RAJNIKANT OJHA SON OF RAMJAG OJHA Resident of Village - Doghara, P.S. - Bihiya, District - Bhojpur
 2. NAGENDRA KUMAR OJHA @ NAGENDRA OJHA SON OF RAMJAG OJHA Resident of Village - Doghara, P.S. - Bihiya, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayashankar Mishra

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

 2. Learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 1, Rajnikant Ojha, as he was arrested during pendency of the instant application.

 3. Permission is accorded.

 4. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner No. 1.

 2. The petitioner No. 2 apprehends his arrest in a case registered for the offences punishable under Sections 147, 148,



149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and informant alleges that on 13-3-2024, while he along with his father were filling soil in the field by tractor, when accused persons including the petitioner came variously armed and petitioner demanded ransom of Rs. 6 lakh from father of the informant, on protest, it is alleged that Rajnikant Ojha assaulted father of the informant by *farsa* causing injury on head, thereafter petitioner assaulted the informant's brother by *Katta*, thereafter Anup assaulted the informant by *Katta* near his eyes causing injury and petitioner along with Ganesh are alleged to have snatched Rs. 1 lakh.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that on account of dispute relating to land, an altercation had taken place in which both sides assaulted each other. It is also submitted that petitioner is not a criminal and injury suffered by the injured is simple in nature as stated in para-14 of the anticipatory bail application. It is also submitted that allegation of snatching Rs. 1 lakh is ornamental. It is next submitted that a Title Suit No. 409 of 2022



is going on in between the parties.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner No. 2, above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bihiya P.S. Case No. 75 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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