

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64560 of 2024

Arising Out of PS. Case No.-369 Year-2023 Thana- KALYANPUR District- East Champaran

1. Sanjay Ojha Son of Shivpujan Ojha Resident of Village- Bahuara, Haribansh, P.S.- Kalyanpur, District- East Champaran
2. Munchun Tiwari Son of Late Narendra Tiwari Resident of Village- Shambhuchak, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-10-2024 Heard learned counsel appearing on behalf of the petitioners and Mr. Upendra Kumar, learned APP for the State.

2. At the very outset, learned counsel appearing on behalf of the petitioners seeks to withdraw the bail application of petitioner no.1 (Sanjay Ojha).

3. Accordingly, the bail application filed on behalf of the petition no.1 is dismissed as withdrawn.

4. So far as petitioner no.2 is concerned, he seeks pre-arrest bail in connection with Kalyanpur P.S.Case No.369 of 2023, registered for the offences punishable under Sections 341, 323, 324,307, 379, 504 and 506/34 of the Indian Penal Code .



5. As per the allegation made in the FIR, with an intention to kill the informant and his son, the petitioners along with the other accused persons named in the FIR had overpowered the son of the informant and stabbed in his stomach and also assaulted the informant on different parts of the body.

6. Learned counsel appearing on behalf of the petitioner submitted that there is general and omnibus allegation against petitioner no.2.

7. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

8. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that there is general and omnibus allegation against him, the petitioner no.2 is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Motihari, East Champaran/concerned court, in connection with Kalyanpur P.S.Case No.369 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.



9. The learned district court is directed to verify the criminal antecedent of the petitioner no.2 and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

10. With the above observation, the present bail application stands disposed of.

(Purnendu Singh, J)

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