

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3025 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- SAHPUR District- Bhojpur

Chanchal Ojha, Male, aged about ___ years, son of Ganesh Ojha, resident of
Village- Ojhawalia, P.S.- Shahpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Shahpur (Karnamepur) PS Case No.215 of 2023 dated
25.05.2023, instituted under Sections 307, 386, 387, 506/34 of
the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on the alleged
date of occurrence the petitioner and others armed with deadly
weapons were searching the informant and had threatened his
family members to give rupees five lakh as extortion money
within three day, otherwise, the informant will be killed. They
also misbehaved with the female members of the family.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. It is submitted that no such occurrence has ever taken place and the FIR has been lodged with the delay of three days without any cogent explanation for the same. It is further submitted that the petitioner and the informant are known to each other. The informant had taken rupees forty thousand from the petitioner and when the petitioner demanded his money then this false case has been instituted. It is further submitted that no injury report is available on the record which will reflect from the impugned order. No firearm has been recovered either from possession of the petitioner or from the house of the petitioner. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, 1st, Bhojpur at Ara, in Shahpur (Karnamepur) PS Case No.215 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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