

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38865 of 2025**

Arising Out of PS. Case No.-694 Year-2024 Thana- BUXAR District- Buxar

Rajan Ojha @ Ashutosh Ojha, S/o Anil Kumar Ojha, Resident of village and Post- Nimej, P.S.-- Brahmpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jai Shankar Pathak, Advocate Mrs. Swastika, Advocate Mr. Amit Kumar Mishra, Advocate Mr. Anirudh Mishra, Advocate
For the Opposite Party/s	:	Ms. Renuka Ratnakar, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

3 03-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail in connection with Buxar (Town) P.S. Case No. 694 of 2024 registered for the offence punishable under Sections 61(2), 103 and 3(5) of B.N.S. and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant was informed by his nephew Amit that her husband has been killed by someone near Kamaladah Pakhar and he is being rushed to Sadar Hospital, Buxar. When she asked Dharmendra Kumar on mobile, it was disclosed to her that unknown miscreants have fired at her husband.



4. During course of investigation specifically in para-53 of the diary, one Brahmeshwar Singh @ Brahmeshwar Yadav has given his statement and in his statement, he has stated that there was dispute between the deceased and the petitioner as both were dealing in real estate. It has also been stated by this witness, namely, Brahmeshwar Singh that the petitioner along with others has hatched a conspiracy to kill the deceased. From perusal of other paras of the diary, it also transpires that from the CDR of the petitioner it will transpire that the location of his mobile was found near Charitra Van.

5. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that except for the statement of Brahmeshwar Singh and confessional statement there is nothing against the petitioner. As far as tower location is with respect to a big area within which the tower functions. There is no eye witness to the case. Petitioner is having no criminal antecedent and is languishing in judicial custody since 06.02.2025.

6. The application for bail is opposed by learned APP for the State.



7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Buxar (Town) P.S. Case No. 694 of 2024.

(Ashok Kumar Pandey, J)

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