

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70285 of 2025

Arising Out of PS. Case No.-142 Year-2025 Thana- GRIYAK District- Nalanda

1. Vishwanath Ojha S/O Late Ramanand Ojha R/O Vill.- Katri Din(in impugned order wrongly typed Katri Sarai),P.S- Giriyak (Katri Sarai),Dist.- Nalanda
2. Anand Shankar S/O Vishwanath OJha R/O Vill.- Katri Din(in impugned order wrongly typed Katri Sarai),P.S- Giriyak (Katri Sarai),Dist.- Nalanda
3. Vijay Shankar S/O Vishwanath Ojha R/O Vill.- Katri Din(in impugned order wrongly typed Katri Sarai),P.S- Giriyak (Katri Sarai),Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-10-2025 Learned counsel for the petitioners at the outset submits that he may be permitted to withdraw the petition so far as petitioner nos. 2 and 3 namely Anand Shankar and Vijay Shankar respectively are concerned.

2. Permission granted.

3. Anticipatory bail application of the petitioner nos. 2 and 3 namely Anand Shankar and Vijay Shankar are dismissed as withdrawn.

4. Heard the parties.

5. The petitioner is apprehending his arrest in connection with Griyak P.S. Case No. 142 of 2025 for the



offence under sections 126(2), 117(2), 118(1), 109(1), 351(3), 352 and 3(5) of the BNS lodged on 10.04.2025 by the informant, Amrendra Pratap.

6. As per the prosecution story, the informant alleged that on 10.04.2025 when he alongwith his brother were returning home, on the order of petitioner no. 1, Vishwanath Ojha both his sons, petitioner nos. 1 and 2 namely Anand Shankar and Vijay Shankar assaulted. Anand Shankar gave knife blow to his brother Dhirendra Pratap causing grievous injury on the nose and when he tried to rescue him, another petitioner, Vijay Shankar gave '*lathi*' blow causing injury on the hand. This led to the FIR.

7. Learned counsel for the petitioner submits that role of assault is on the two sons, the father has been wrongly implicated, there is a counter-case also and petitioner no. 1, Vishwanath Ojha has no criminal antecedent.

8. Learned APP opposes the prayer submitting that petitioner no. 1, Vishwanath Ojha is an order giver.

9. Taking into account the submissions of the parties as also that role of assault has been assigned to the two sons, their anticipatory bail application stands dismissed as withdrawn, petitioner no. 1, Vishwanath Ojha has no criminal



antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

10. Let the petitioner no. 1, Vishwanath Ojha be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Nalanda at Biharsharif in connection with Griyak P.S. Case No. 142 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner no. 1, Vishwanath Ojha who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 1, Vishwanath Ojha shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner no. 1, Vishwanath Ojha shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner no. 1, Vishwanath Ojha shall in no



way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no. 1, Vishwanath Ojha shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

