

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16367 of 2026

Arising Out of PS. Case No.-337 Year-2024 Thana- BHAGWANPUR HAT District- Siwan

Lucky Kumar Ojha @ Lucky Kumar @ Lucky Ojha S/O Satyendra Ojha
Resident of village- Mishra ke Mora, P.S.- Morakhas, District- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Alam, Advocate

For the State : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Bhagwanpur Hat P.S. Case No. 337 of 2024 dated 13.08.2024, registered for the offences punishable under Sections 126(2), 115(2), 329, 125, 109, 352, 351 and 3(5) of B.N.S., 2023 and Section 27 of the Arms Act.

3. As per allegation, the petitioner has caused gunshot injury in the left arm of the informant.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, there was altercation between the informant and the petitioner's side in regard to dumping of household waste in which it was the



informant himself who fired at the petitioner's side, but in course of effort of the petitioner's side to save themselves, that fire hit the informant himself. He further submits that in regard to the occurrence, the petitioner's side has lodged one Bhagwanpur Hat P.S. Case No. 336 of 2024. He also submits that the present FIR is a counterblast to the FIR lodged by the petitioner's side.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the case and counter case, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Bhagwanpur Hat



P.S. Case No. 337 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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