

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41782 of 2026

Arising Out of PS. Case No.-51 Year-2023 Thana- MAHILA P.S. District- Bhojpur

Rajendra Prasad Ojha Son of Late Raghunath Ojha Resident of Village-
Beloina, P.S.- Bihiya, District- Bhojpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 30-06-2026

Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Mahila P.S. Case No. 51/2023 registered for the offences punishable under Sections 341, 323, 379, 504, 506, 498-A and 34 of the Indian Penal Code.

3. As per FIR, informant alleged petitioner along with other family members committed mental and physical cruelty upon her, where she protested the act of accused persons including this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is elder brother-in-law (*bhaisur*) of the informant and out of previous suspicion and matrimonial discord, present false implication was raised. It is pointed out that petitioner is living separately having otherwise no connection with informant and her husband. It is submitted that considering all such aspects petitioner was granted bail by learned trial court, itself, but as he is suffering from severe kidney problem, therefore, he could not surrender before court below within time. It is submitted that on two different occasions learned trial court has already extended time



period for surrender, but due to dialysis related issue and complexities, petitioner failed to surrender before the court below within time and therefore on third occasion, prayer for extension of surrender was not allowed.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as reason for non-appearance of petitioner before learned trial court prima-facie does not appears deliberate or intentional rather due to his medical compulsion as discussed aforesaid, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Bhojpur at Ara/concerned Court, where the case is pending in connection with Mahila P.S. Case No. 51/2023, subject to the conditions as laid down under Section 482(2) of BNSS.

7. It is made clear that no further extension prayer *qua* surrender shall be considered, if petitioner failed to surrender before learned trial court withing four weeks’ of this order as directed aforesaid.

(Chandra Shekhar Jha, J)

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