

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73729 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- Vasudeva District- Buxar

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Dhiraj Kumar Ojha @ Dheeraj Ojha S/o Indradev Ojha @ Jata Ojha R/o
Village- Newari, P.S.- Agiaon Bazar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 10-03-2026 Heard Mr. Amarendra Kumar, learned counsel for

the petitioner as well as Mr. Sanjay Kumar Sharma, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.05.2025 in connection with Basudeva P.S. Case No. 14 of
2025, complaint petition dated 01.02.2025 for the offences
punishable under Sections 64 of the Bharatiya Nyay Sanhita,
2023 and Section 66, 67, 66(E) of the IT Act.

3. According to prosecution case, it is alleged that the
petitioner forcibly made physical relation with the complainant
by threatening her to viral her obscene photos on internet which
he had made through Instagram.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. From bare perusal of the FIR/Complaint petition, it appears that date of occurrence is on 07.06.2024 but the complaint petition was filed on 01.02.2025 after delay of about six months without giving any explanation of delay and thereafter the complaint petition was sent for lodging the present FIR which was registered on 20.02.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that although the victim has refused for her internal medical examination but her urine pregnancy test result is positive.

6. Learned counsel for the petitioner submits that the victim is a married lady so medical report of the victim does not support that the petitioner established physical relation with her and except the statement of the victim which was recorded under Section 183 of BNSS, no other cogent material has come during investigation which suggest the involvement of the



petitioner in the present occurrence and the petitioner is in custody since 04.05.2025.

7. Considering the aforesaid facts and circumstances and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., III, Buxar in connection with Basudeva P.S. Case No. 14 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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