

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2139 of 2026

Arising Out of PS. Case No.-176 Year-2025 Thana- BRAHMPUR District- Buxar

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1. Sanjay Kumar Ojha @ Munna Ojha Son of Mathura Ojha Resident of Village - Devkuli, Ps- Branpur, Dist- Buxar
 2. Sunita Ojha Wife of Sanjay Kumar Ojha Resident of Village - Devkuli, Ps- Branpur, Dist- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Binod Kumar Ojha, S/O- Yamuna Ojha R/O- Devkuli, p.s.- Brahmpur, Distt.- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.
Mr. Ashutosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-07-2026 Heard learned counsel for the parties.

2. The petitioners apprehend arrest in a case registered for the offence punishable under sections 318(4), 316 (2), 31(2), 351(2) of the B.N.S, 2023.

3. As per prosecution case, all the FIR named accused persons including these petitioners dishonestly took Rs. 18,78,050/- from the informant to execute a sale deed in his favour. Later on accused persons neither executed sale deed nor did they return the money.

4. Learned counsel for the petitioners have filed supplementary affidavit stating therein that the informant had given them total Rs. 12,96,200/- out of which Rs. 4,18,150/- has already been returned to the informant and they are ready to return rest of Rs. 8,78,000/- to the informant in installments within 6 months.



5. Considering the aforesaid facts of the case, prayer for bail of the petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioners, mentioned above, be enlarged on **provisional bail** on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in Police Station Case No. 176 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on following conditions:-

(i) At the time of furnishing bail bond, Rs. 3 lacs shall be returned by the petitioners to the informant by bank draft. Rest amount of Rs. 5,78,000/- lacs shall be returned by the petitioners to the informant three in three equal installments within succeeding six months.

(ii) If the petitioners comply with the conditions, court below shall confirm the provisional bail, otherwise court below shall be at liberty to cancel the bail bonds of the petitioners.

6. It is made clear that without going into the merit of the case, aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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