

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4387 of 2026

Arising Out of PS. Case No.-539 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Manish Kumar Ojha, aged about 25 years, Male, son of Prem Kumar Jha,
resident of village- Kohara, PS- Udwant Nagar, Dist- Bhojpur
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP
For the Informant : Mr. Nagadeo Chaubey, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner; learned
Additional Public Prosecutor for the State and learned counsel
for the informant, who has appeared *suo motu*.

2. The petitioner seeks bail in connection with
Udwant Nagar PS Case No.539 of 2024 dated 07.12.2024,
instituted for the offence punishable under Sections 126(2),
115(2), 351(2), 35, 329(4), 118(1), 117(2), 303(2), 76, 3(5) of
the *Bharatiya Nyaya Sanhita*, 2023.

3. The prosecution case, in brief, is that on the alleged
date of occurrence when the informant and his family members
were preparing for *Barat*, the petitioner and other accused
persons named in the FIR entered into their house and started
abusing them. The inmates of the house were beaten with



Gandasa causing injuries to Himanshu Ojha on his nose and Ajay Kumar Ojha on his head. The wife of the informant was also assaulted and she failed down on the ground and got disrobed. It is further alleged that Prem Kumar Ojha had taken away the golden chain and other ornaments which the informant's wife was wearing.

4. Learned counsel for the petitioner submits that there is specific allegation against the petitioner is that he assaulted Himanshu Ojha by means of *Gandasa*, however, the injury report reveals that one incised wound about 1 cm in length just at upper border of nasal bridge with active bleeding and tenderness over right side of nasal bridge upper border with depression felt over right side of nasal bridge were found caused by sharp and pointed object. Nature of the injury was said to be grievous. Learned counsel for the petitioner submits that the injury report does not support the prosecution case. Mode of injury is mentioned as sharp and pointed object, whereas, *Gandasa*, though is a sharp weapon, but not a pointed weapon. There is case and counter case between the parties. Counter case has been lodged by the mother of the petitioner against the informant and his family members. Lastly, it is submitted that the petitioner is in custody since 24.11.2025 having no criminal



antecedents.

5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail. Learned counsel for the informant submits that due to assault made by the petitioner, the injured has sustained grievous injury.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara, in Udwant Nagar PS Case No.539 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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