

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4306 of 2026

Arising Out of PS. Case No.-454 Year-2023 Thana- BRAHMPUR District- Buxar

Prem Murti Ojha @ Bhola Ojha S/O Dharmendra Narayan Ojha R/O Village-
Barhampur Petrol Pump, P.S.- Barhampur, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Y R/O Village- Nimej, P.S.- Brahmpur, District- Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate
		Mr. Vijay Anand, Advocate
For the Opposite Party/s :		Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-02-2026 Heard Mr. P. N. Shahi, learned Senior Counsel for the
petitioner and learned A.P.P. for the State.

2. This is the second attempt of the petitioner for grant of anticipatory bail in connection with POCSO Case No. 38/2024 arising out of Brahmpur P.S. Case No. 454 of 2023 instituted under Sections 363/366(A) of the I.P.C. and Section 8 of the POCSO Act.

3. As per the prosecution case, petitioner is accused of sexually assaulting the victim girl

4. Learned Senior Counsel for the petitioner submits that the petitioner has not assaulted anyone. Petitioner has clean antecedent.

5. Learned APP for the State has opposed the prayer



for anticipatory bail of the petitioner..

6. Though I am of the view that the second anticipatory bail application is not maintainable, since Mr. P.N. Shahi, learned Senior Counsel for the petitioner has advanced arguments on merits, I find that the health condition of the petitioner has been referred to in the statement of the victim recorded under Section 164 Cr.P.C., wherein she has alleged that the petitioner molested her whenever he got an opportunity.

7. Accordingly, the application stands dismissed.

8. The petitioner is directed to surrender within two weeks from today and pray for regular bail, failing which the Superintendent of Police, Buxar will take all steps for arrest of the petitioner.

9. Let a copy of this order be communicated to the Superintendent of Police, Buxar through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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