

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24730 of 2026

Arising Out of PS. Case No.-44 Year-2026 Thana- BYPASS District- Patna

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Santosh Kumar Ojha Son of Late Gopal Ojha Resident of Village - Ahiyapur,
Karbathi Bazar, P.S. - Gopalpur, Dist. - Gopalganj, Presently R/o at Maharani
Colony, Road No. - 1, P.S. - Bypass, Dist. - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	M//s Jagjit Roshan, Anjani Kr, Shashank Shekhar, Prashant Raj, Advocates
For the State	:	Mr. Anil Prasad Singh
For the Informant	:	Mr Raj Krishna Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Bypass PS Case No. 44 of 2026 instituted for the offence
punishable under Sections 126 (2), 115 (2), 109, 303 (2), 352,
351 (2) (3) (5) of the Bharatiya Nyaya Sanhita pending in the
Court of learned Judicial Magistrate, 01st Class, Patna City,
Patna.

3. The prosecution case is that on 27.01.2026, a
fight took place where this petitioner is alleged to have assaulted
on the nose of the informant with an iron rod. The informant
sustained multiple injuries, some of which are grievous in



nature.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and is in custody since 06.02.2026. It is further submitted that the fardbayan was recorded in this case after three days delay. The consequent FIR was lodged on 05.02.2026.

5. Learned A.P.P. for the State and the learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Mr Raj Kishna Jha appears on behalf of the informant. He submits that the injured has sustained injuries and his statement could only be recorded in the Hospital during the course of treatment and he is not concerned with the lodging of the FIR with the subsequent delay at all.

6. Considering that the allegation against the petitioner is of assault on the nose only and there seems to be a petty dispute which resulted in such assault which happened on the spur of the moment, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Bypass PS Case No.
44 of 2026.

(Ansul, J)

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