

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39727 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

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Anand, Advocate
		Mr. Roop Kishan, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-07-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
POCSO Case No. 38 of 2024 arising out of Brahmpur P.S. Case
No. 454 of 2023 registered for the offence under Section(s) 363
and 366A of the Indian Penal Code and Section 8 of the POCSO
Act.

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

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence.
Petitioner is in custody since 25.04.2026 and claims clean
antecedent.



5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Though the petitioner is accused of sexually assaulting the victim but from the statement of the victim girl recorded under Section 164 Cr.P.C., it appears that the specific allegation against the petitioner is only of attempting to commit rape.

7. Considering the aforesaid facts and circumstances, this application for regular bail is allowed.

8. Accordingly, let the petitioner, above named, 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 the learned Court below where the case is pending/successor Court in connection with Brahmpur P.S. Case No. 454 of 2023 subject to conditions that:-

(i). The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations



shall not be construed as an expression on the merits of the case
and shall not influence the trial or any other proceedings in any
manner.

(Sandeep Kumar, J)

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