

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68083 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- BANNUBAGICHA District- Lakhisarai

Yogendra Bind @ Jogendra Noniya S/o Shibu Noniya Resident of Village-
Sawan Khairma, P.S.-Tetarhar. District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Irshad

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-10-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in Bannu Bagicha P. S. Case No.38 of 2025 registered for
the offences punishable under Sections 127(1), 115(2), 109,
351(2), 352, 3(5) of the B.N.S.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and the informant
alleges that on 25.05.2025 at 4.00 P.M., the son of informant
(Shivam) aged about 09 years was playing with the son of Arun
namely Basuki, a quarrel ensued between the children while
playing, on account of which Basuki went to his house and
complained, thereafter Arun and Kapil came and assaulted
Shivam by lathi in turn causing injury on head, thereafter, Arun



assaulted his wife on head causing swelling and son in-law of Kapil (petitioner) assaulted Badal by danda causing injury on shoulder. Thereafter, accused persons fled when villagers gathered and Shivam was taken to hospital.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is not named in the FIR rather has been described as son in-law of Kapil. It is further submitted that petitioner does not reside at the house of Kapil, but on the date of occurrence had come to meet him. It is also submitted that petitioner is alleged to have assaulted Badal causing injury on shoulder and is not alleged to have assaulted Shivam.

5. Learned A.P.P. vehemently opposes the anticipatory bail application and submits that no doubt, from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is not alleged to have assaulted Shivam but then, from perusal of the order impugned, it would manifest that Shivam a 09 years child suffered three cut injuries on his head, which amply demonstrates that the conduct of the accused persons that on account of quarrel between children, the family members of



Basuki indulged in assaulting a 09 years old child and the presence of the petitioner at the place of occurrence must have emboldened the other accused persons. It is next submitted that investigation is continuing and petitioner has antecedent of two cases and if privilege of anticipatory bail is granted, the petitioner may abscond.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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