

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7973 of 2026

Arising Out of PS. Case No.-388 Year-2025 Thana- BIHIA District- Bhojpur

Shivji Yadav, S/o Lakshman Prasad Singh, Resident of Village- Bihiya Gaon,
Police Station- Bihiya, Distt.- Bhojpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-02-2026

1. Heard the parties.

2. Petitioner apprehends his arrest in connection with Bihiya P.S. Case No. 388 of 2025 dated 18.10.2025 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 351(2), 352 and 3(5) of the BNS.

3. As per the prosecution story, the informant's wife was cooking food at home, in the meantime, the petitioner, talking rubbish, came there and started abusing his mother (the wife of the informant), questioning why she was stopping him from drinking liquor and threatened to kill her. Thereafter, he picked up an iron rod kept in the house and assaulted her on the head, causing severe injuries. Further, the daughter-in-law of the informant allegedly hit her on the stomach with a brick.

4. The main submissions advanced by petitioner's counsel are that the petitioner's own mother lodged the FIR



against him alleging that he assaulted her on the head but the said allegation is completely false, in fact, a wooden part of the branch of bur-flower (Kadam) tree fell on the head of the petitioner's mother in the garden resulting in her head injury. It is further submitted that father of the petitioner had sold the ancestral land in favor of one Sushila Devi without the consent of petitioner thereafter a Title Suit bearing no. 59 of 2025 was filed by the petitioner which is still pending and due to the said enmity, a false case has been lodged by the mother of the petitioner in collusion with the petitioner's father.

5. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

6. Considering the seriousness of the allegation appearing against this petitioner who allegedly assaulted his own mother by means of iron rod and as per the FIR she was referred to IGMS hospital, Patna where she was under treatment till the registration of the FIR and the case is under investigation, in my opinion, it is not a fit case for anticipatory bail to the petitioner, Accordingly his prayer stands rejected.

(Shailendra Singh, J)

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