

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46469 of 2025**

Arising Out of PS. Case No.-122 Year-2024 Thana- ISMAILPUR District- Bhagalpur

Kargil Yadav @ Kargil Kumar Son of Balmiki Yadav Resident of village -  
Kamlakund Ismailpur, P.S.- Naugachia, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      30-07-2025      1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Ismailpur Police Station Case No. 122 of 2024, dated 15.11.2024, disclosing offences under Sections 126(2)/118(2)/109(1)/303(2)/352/3(5) of the Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 14.11.2024, at around 04:30 PM, the informant was returning home from Chandisthan, Ismailpur, from Bhagalpur after delivering goods in pickup van. On the way, near Panchayat Bhawan, informant had heated argument with co-accused Sumit Kumar over not giving side. Later on, when the petitioner, along with one



Gulshan Kumar, was going to Naugachia to collect goods in the meanwhile, six co-accused persons, including the petitioner, stopped and surrounded the informant on road. The accused persons abused the informant and upon protest, co-accused Aman Yadav fired at him causing abdominal injury and other snatched Rs. 5,000/- from his pocket. Initially, the FIR was lodged for attempt to murder, but subsequently, the informant died and offence of murder has been added in the FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to enmity. The allegation against the petitioner is general and omnibus in nature. He next submits that specific allegation of firing is upon co-accused Aman Yadav, who is the main assailant. He further submits that the petitioner has been implicated in this case on account of being family member/friend of co-accused Aman Yadav. The petitioner is aged about 22 years and is a student of intermediate. The similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 8716 of 2025.



5. Having regard to the submissions made on behalf of the parties and taking into consideration the general and omnibus allegation against the petitioner and the fact that the co-accused Aman Yadav is the main assailant and similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Naugachia, Bhagalpur, in connection with Ismailpur Police Station Case No. 122 of 2024, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

**(Anil Kumar Sinha, J)**

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