

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28519 of 2026

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

Aman Yadav S/O Yogendra Kumar Yadav @ Jogli Yadav @ Yogendra Yadav
Residents of Village- Ismailpur, P.S.-Ismailpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 05.08.2025 in connection with Ismailpur P.S. Case No. 122 of 2024 for the offences punishable under Sections 126(2), 118(2), 109(1), 303(2), 352, 3(5) of B.N.S and Section 27 of Arms Act.

3. The case of the prosecution is that on 14.11.2024 at about 5:30 hours, informant was returning to his home at Chandi Asthan, Ismilepur from Bhagalpur after delivery of goods by his pick up van, in the way at Panchayat Bhawan Near Chandi Asthan one Sumit Kumar had a hot talk with him for not giving side, thereafter, informant went to his home. After one hours informant along with Gulshan Kumar went to Naugachia to bring goods, in the course on two motorcycle total six persons



namely (i) Aman Yadav, (ii) Bajrangi Goswami, (ii) Munna Yadav, (iv) Sonu Kumar Yadav, (v) Sumit Yadav, (vi) Kargil Yadav over took his vehicle and stopped him when informant asked the cause of stopping vehicle all the miscreants named above abused him. On protest Aman Yadav fired upon the informant through window of vehicle due to which informant sustained injury at his abdomen. Thereafter he also snatched sum of Rs.5000/- from pocket of informant. After committing the incident miscreants fled away from spot.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that it appears from the FIR that due to some petty dispute the present occurrence has taken place. It is next submitted that the date of occurrence was 14.11.2024 and the FIR has been instituted on 15.11.2024 i.e., after a delay of one day which suggests that it is an afterthought FIR lodged only to falsely implicate the petitioner.

5. The learned Additional Public Prosecutor for the State on the basis of materials available on record and the case



diary has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and he has fired upon the informant through window of the vehicle due to which informant/deceased sustained injury and during the course of treatment she has died and postmortem report also supports the allegation as alleged in the FIR.

6. Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail in connection with Ismailpur P.S. Case No. 122 of 2024 pending in the court of learned Additional Sessions Judge -III, Naugachia.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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