

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE- 3rd NAUGACHIA
Bail Petition No. 48/2026
Arising out of Bihpur P.S. Case No. 220/2025

1. Tiwari Yadav, aged about 28 years S/o Late Barun Yadav
R/o - Village – Lattipur, P.S. – Bihpur, Dist. - Bhagalpur

----- Petitioner
VRS.

The State of Bihar ----- Opposite Party

ORDER

15-04-2026

The Ld. Counsel for the petitioner aforementioned has filed a petition praying therein to release his on bail. The petitioner is in judicial custody since 16-01-2026 pursuant to his arrest in Bihpur P.S. Case no. 220/2025 registered under Sections 126(2), 115(2), 118(1), 109, 351(2), 351(3), 352, 3(5) B.N.S. and 27 Arms Act. The copy of the petition has been furnished to the Ld. Addl.P.P.

2. Heard Ld. Counsel for the petitioner and Sri P. N. Sah – Ld. Addl. P.P. for State.

3. The Ld. Counsel for the petitioner submits that no bail petition filed either in the Court of Principal District & Sessions Judge, Bhagalpur or Hon'ble High Court, Patna except this one. It is further submitted that the petitioner is innocent and has not committed any offence and there is no iota against the petitioner. It is further stated that the petitioner has been falsely implicated in this case due to dirty village politics and there is no recovery from the petitioner. It is also submitted that alleged Sections 109 & 317 B.N.S. is not applicable against the petitioner and the petitioner is man of means and there is no chance of his absconding or delaying the trial.

4. The Ld. Addl.P.P. has opposed the prayer of the petitioner.

5. The case of prosecution in brief is that the informant, namely, Ankush Kumar @ Raja gave her fard beyan before the S.H.O. of Bihpur stating therein that on 05-09-2025 at about 08:00 P.M. the informant went to Lattipur to deliver engine mechanic to his house. Then near Bhola Baba Sthan in Lattipur village the F.I.R. named accused persons and other unknown four to five persons came there and started assaulting the informant with iron rods, bricks and fists. When the informant was severely injured the accused petitioner, namely, Tiwari Yadav fired upon the informant with countrymade pistol with the intention of killing him. Fortunately, the bullet did not hit him. Due to commotion, people gathered nearby and informant's motorcycle snatched by Natwar Yadav, he also snatched Rs. 38,000/- and mobile phone from the informant's pocket. The accused persons also snatched gold chain from the informant's neck and fled away from the place

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE- 3rd NAUGACHIA
Bail Petition No. 48/2026
Arising out of Bihpur P.S. Case No. 220/2025

of occurrence. The accused persons also threatened the informant to kill him. After that by frightening the informant went to police station and lodged an F.I.R. against the accused persons.

6. On the basis of written application of the informant, namely, Ankush Kumar @ Raja Bihpur P.S. Case No. 220/2025 dated 05-09-2025 under Sections 126(2), 115(2), 118(1), 109, 351(2), 351(3), 352, 3(5) B.N.S. and 27 Arms Act.

7. Heard both sides. As directed case diary of this case has been produced. Perused the same, it transpires that as per case diary para 30 stated the injury report and the injury is simple in nature. It also transpires that there is no criminal antecedent of the petitioner. The petitioner is in Judicial Custody since 16-01-2026. Further investigation is still going on.

8. Considering the period of judicial custody of petitioner and discussions made above the petitioner is directed to be enlarged on bail on furnishing two sureties of rupees fifteen thousand (15,000 x 2) subject to condition that petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Ld. Court and the petitioner will not tamper with the evidence or the witnesses. However, the acceptance of bail bonds in terms of the above mentioned conditions fulfilled by the petitioner as laid down all to the satisfaction of the Court of Ld. J.M.F.C. (Astha Bharti), Naugachia.

Nitu Kumar
15/04/26
District & Additional Sessions Judge-3rd,
Naugachia, Bhagalpur
Dated 15-04-2026