

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59858 of 2022**

Arising Out of PS. Case No.-75 Year-2020 Thana- GANGTA District- Munger

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GOPAL YADAV Son of Vijay Yadav Resident of Village - Dariyapur, P.S. -  
Gangta, District - Munger, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

|                            |                                                                                                   |
|----------------------------|---------------------------------------------------------------------------------------------------|
| For the Petitioner/s :     | Shri Ramakant Sharma, Sr. Advocate<br>Shri Akshay Ashish, Advocate<br>Shri Rajesh Kumar, Advocate |
| For the Opposite Party/s : | Shri Anil Kumar, A.P.P.                                                                           |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      16-11-2022                      Heard learned Senior Counsel for the petitioner and  
  
learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of  
  
four weeks.

The petitioner seeks bail in a case registered for the  
  
offences punishable under Sections 302, 341, 323, 324, 307, 504, 337  
  
and 338/34 of the Indian Penal Code.

This is the second attempt of the petitioner to seek bail as  
  
earlier his bail application was rejected by order dated 12.04.2022 in  
  
Cr. Misc. No. 60260 of 2021.

Learned Senior Counsel for the petitioner very fairly  
  
submits that while rejecting the bail application of the petitioner,  
  
liberty was granted to the petitioner to renew his prayer for bail after  
  
the informant is examined. Learned Senior Counsel submits that after  
  
the order dated 12.04.2022 till date only one witness has been



examined and the informant is deliberately being concealed so that petitioner may not be able to renew his prayer for bail.

The Court for the present is not inclined to consider the prayer for bail of the petitioner. Hence, prayer for bail is rejected in connection with S.Tr. No. 170 of 2021 arising out of Gangta P.S. Case No. 75 of 2020 pending in the Court of learned Additional Sessions Judge-II, Munger/successor Court.

In the event, if the informant is not examined within a period of six months from the date of receipt/production of a copy of this order, then the petitioner will be at liberty to renew his prayer for bail before the learned trial court itself. In the event, if the learned trial court comes to a conclusion that for no fault of the petitioner, the informant could not be examined as a witness in the trial, the petitioner shall be released on bail and in the event, if the informant is examined within the period as directed then also the petitioner can file a bail application in the learned trial court but then the same shall be considered on its own merit.

**(Satyavrat Verma, J)**

Kundan/-

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