

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5310 of 2024**

Arising Out of PS. Case No.-912 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Gopal Yadav S/O NARAYAN YADAV VILLAGE- HARIHARPUR, PS.  
SHAHPUR, DIST. BHOJPUR AT ARA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Radha Krishna, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

5      10-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Sasaram (Town) P.S. Case No 912 of 2023 instituted for the offence punishable under Sections 406, 420, 379, 120B/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on hatching a conspiracy, the petitioner and other co-accused persons have stolen the wheat loaded truck of the informant when the truck was on way to Kolkatta.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner is co-villager of



the informant and driver of the alleged truck. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 07.10.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R. and impugned order dated 07.12.2023, it appears that on the basis of written report of informant Ankush Kumar the F.I.R. registered against five accused persons including the present petitioner under Sections 406, 420, 379, 120(b) and 34 of the I.P.C. and there is specific allegation against driver Gopal Yadav (petitioner) and Khalasi Ramjit Yadav. As per impugned order, informant as well as other witnesses have supported the case of prosecution in their statement recorded u/s 161 of Cr.P.C. Confessional statement of the petitioner is given and he is admitted his guilt. In C.D.R., all the accused persons along with the petitioner were in touch via mobile call. Petitioner has involved in the alleged commission of the offence, which is very serious in nature. The prayer of bail of similarly situated co-accused namely, Ramjit Yadav has already been rejected by this Court vide order dated 21.03.2024 passed in Cr. Misc. No. 5180 of 2024.

7. Considering the facts and circumstances of the case



and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

9. However, the learned trial Court is directed to conclude the trial preferably within a period of six months from the date of receipt of a copy of this order and if the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail before the trial Court.

**(Ramesh Chand Malviya, J)**

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