

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2389 of 2025**

Arising Out of PS. Case No.-118 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

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Deepak Upadhayay @ Deepak Upadhyay son of Late Vijay Shankar
Upadhyay village- Saheba Chak, Ps- Mirganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Adv
Mr.Devashish Giri
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 207-02-2025
1.

Heard learned senior counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2.

Learned senior counsel for the petitioner submits that petitioner has antecedent of seven cases and the informant alleges that his father had to board train for going to Lucknow, hence, he went to the railway station on a motorcycle driven by Amanul and when they reached near Turkaha water plant when Mahtab shot him and fled towards the water plant where the accused persons were also present, who subsequently fled and his father was brought to Sadar Hospital where he succumbed to his injuries.
3.

Learned senior counsel for the petitioner next



submits that petitioner is not named in the FIR and his name transpired during the course of investigation with an allegation that he was acting as a liner. It is also submitted that several co-accused have been granted the privilege of anticipatory bail as well as regular bail by this Court.

4. Learned counsel appearing on behalf of the informant opposes the bail application and submits that petitioner has antecedent of seven cases and if bail is granted to the petitioner, the petitioner may abscond, which may delay the trial.

5. At this stage, learned senior counsel for the petitioner seeks permission to withdraw the bail application, with liberty to renew his prayer for bail after framing of charge.

6. Permission is accorded.

7. Accordingly, the instant bail application is dismissed as withdrawn.

(Satyavrat Verma, J)

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