

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6780 of 2025

Arising Out of PS. Case No.-101 Year-2023 Thana- CHANDI District- Bhojpur

Golu Yadav @ Gollu Yadav S/O Bira Ray Village- Bhadwar, P.S.- Chandi,
Dist.- Bhojpur at Ara

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ramesh Kumar S/O- Ramnadan Yadav, vill- Sarkuna, P.S- Dulhin Bazar,
Distt- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 30-08-2025 Learned Counsel for the petitioner, learned Counsel
for the Informant and learned APP for the State are present.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner, who is in custody in connection with Chandi P.S. Case No. 101 of 2023, lodged on 02.04.2023, under Section 304B/34 of the Indian Penal Code, pending in the Court of A.D.J.-III, Bhojpur at Ara.

3. Earlier prayer for bail of the petitioner was rejected vide order dated 18.04.2024 passed in Cr. Misc. No.12979 of 2024 with liberty to the petitioner to renew his prayer for bail



nine months after framing of the charge and Trial Court was directed to expedite the Trial.

4. Learned Counsel for the petitioner submits that charge has been framed on 03.06.2024 but not a single witness has turned up.

5. Learned Counsel for the Informant is present and submits that witnesses are waiting for summon of the Court. They are ready to adduce evidence but no process has been received and it is due to this reason they have not appeared for evidence.

6. From the report, it transpires to this Court that Court has intimated that for appearance summon, bailable warrant of arrest, N.B.W. and Dasti Summon have been issued.

7. The Trial Court is directed to conclude the Trial within six months from today. Informant is present and submits that within three months he shall produce all the prosecution witnesses.

8. In this background, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby refused. However, if within four months from today the prosecution fail to produce witnesses then the Trial Court is directed to release the petitioner on bail. At the



time of consideration of his application for bail, the Court shall ascertain that due to whose fault the evidence could not take place.

(Dr. Anshuman, J)

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