

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36785 of 2025

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

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Deepak Upadhyay S/o Late Shiv Shankar Upadhyay @ Vijay Shankar
Upadhyay R/o Village- Sahebechak, P.S.- Mirganj, District- Gopalganj
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ansul, Sr. Advocate
Mr. Amir Alam, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 429-08-2025
1. Heard Mr. Ansul, learned Senior Counsel for the petitioner and Ms. Sangeeta Sharma, learned A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code as well as Section 27 of the Arms Act.

3. Learned Senior Counsel for the petitioner submits that petitioner had earlier moved before this Court seeking regular bail by filing Cr. Misc. No. 2389 of 2025 and the same was permitted to be withdrawn with liberty to the petitioner to renew his prayer for bail after framing of charge. It is further submitted that since there are too many accused in the case, as such, the charges against the petitioner were not framed, hence, the petitioner filed the instant regular bail application bringing



the said fact to the notice of the Court. It is next submitted that petitioner had filed an application dated 07.07.2025 for splitting the records of the case of the petitioner from rest of the accused so that the charges against the petitioner is framed and trial commences. It is also submitted that the case was taken up on 01.08.2025, when a report was called from the learned trial court. It is submitted that after order dated 01.08.2025, the charges against the petitioner have been framed by an order dated 25.08.2023. The copy of the order framing charge has been shown by the learned Senior Counsel which is taken on record.

4. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that petitioner has antecedent of seven cases and if the bail is granted to the petitioner, the petitioner may abscond on which learned Senior Counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Considering the submissions made by the learned Senior Counsel appearing on behalf of the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five



Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Gopalganj P.S. Case No. 118 of 2024.

6. One of the bailors of the petitioner shall be his brother, namely, Ritesh Kumar Upadhyay.

7. It is made clear that if the learned trial court comes to a conclusion that petitioner, after his release on bail, is trying to delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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