

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46154 of 2025

Arising Out of PS. Case No.-277 Year-2024 Thana- GOPALPUR District- Gopalganj

Dipu Yadav S/o Late Yogendra Yadav R/o Village- Gopalpur, P.S.- Gopalpur,
District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 16-09-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner has prayed for regular bail in connection with Gopalpur P.S. Case No. 277 of 2024 instituted for the offence under Sections 190, 103(1), 81(2) of the B.N.S.

3. The case of the prosecution is that the petitioner along with others surrounded the brother of the informant. It is specifically alleged that this petitioner and one Pintu assaulted him with knife on head, chest and stomach. It is alleged that other accused persons also assaulted him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Learned counsel for the petitioner has submitted that the story is not probable as from perusal of the FIR itself, it is clear that why the assailants



will call the deceased for committing the offence. It has also been submitted that this is an occurrence of cold season and at that time, there was dark as the sunset has taken place around 5 PM. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.11.2024.

5. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of regular bail. Learned counsel for the informant has submitted that from perusal of the FIR itself, it is clear that the main thrust of allegation is against this petitioner and one Pintu. From perusal of the postmortem report, it transpires that the deceased has received two incised and one penetrating wound.

6. Having heard the learned counsel for the parties and considering the fact that the petitioner being one amongst the main assailant, I am not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. However, the petitioner may be at liberty to renew his prayer for bail after one year if the trial is not concluded.

(Ashok Kumar Pandey, J)

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