

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69958 of 2025**

Arising Out of PS. Case No.-4 Year-2024 Thana- MASAUDHI District- Patna

Gorakh Yadav @ Dharmveer @ Gorakh @ Gorakh Kumar @ Dharmveer Kumar @ Dharmveer Prasad Son of Late Suresh Yadav Resident of Village - Kharjama, Police Station - Masaurhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                                                 |
|--------------------------|---|-------------------------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Ms. Soni Kumari, Advocate<br>Mr. Yashpal Yadav, Advocate<br>Mr. Dharendra Kumar Sinha, Advocate |
| For the Opposite Party/s | : | Mr. Anil Kumar Singh No. 1, APP                                                                 |
| For the Informant        | : | Mr. Shyam kishore, Advocate                                                                     |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      28-11-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no. 1460 of 2024, arising out of Masaurhi P.S Case no.4 of 2024 registered under sections 307, 341, 323, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that over a dispute between the parties, it is stated that the petitioner fired from his pistol hitting the informant on the right side of his chest. He was taken to the hospital for treatment.

4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order



dated 14.2.2025 passed in Cr. Misc. no.84321 of 2024 directing the learned trial Court to expedite the trial. It is submitted that one of the non-official witnesses is not appearing for the trial and not permitting the same to conclude. On merits, learned counsel submits that there is an unexplained delay of 35 days in lodging of the FIR. There is case and counter case between the parties and the injury on the petitioner has also been found to be grievous. In the case registered by the petitioner, chargesheet was submitted and cognizance has been taken. The petitioner is in custody since 25.6.2024.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that three witnesses have already been examined on behalf of the prosecution. Besides the Investigating Officer, only one witness namely Amrendra remains to be examined and he is an independent witness. The prosecution is taking steps for his appearance.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 15.10.2025 of the Additional Sessions Judge-II, Masaurhi, three out of the five prosecution witnesses have been examined and summons have been issued for appearance of the rest witnesses.

7. It is directed that the prosecution/Senior



Superintendent of Police, Patna shall ensure the appearance of the remaining witnesses in course of trial at the earliest.

8. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner of having fired from his pistol hitting the informant on the right side of his chest, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. The learned trial Court is directed to conclude the trial within a period of six months.

10. Let a copy of this order be communicated to the Senior Superintendent of Police, Patna as also to the learned trial Court.

**(Partha Sarthy, J)**

Shiv/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

