

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80372 of 2024

Arising Out of PS. Case No.-176 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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Gopal @ Govind Gopal, S/o- Jawahar Yadav Resident of village- Siraiya P.S-
Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Braj Bhusan Poddar, Advocate Ms. Jyoti Kumari, Advocate
For the informant	:	Mr. Pratyush Pratap Singh, Advocate Mr. Saurabh Singh, Advocate
For the Opposite Party	:	Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 17-01-2025 1. Heard Mr. Ramakant Sharma, learned senior
counsel for the petitioner, Mr. Pratyush Pratap Singh, learned
counsel for the informant and Mr. Bharat Bhushan, learned APP
for the State.

2. The petitioner seeks regular bail in connection
with S.T. Case No. 1022 of 2023 arising out of S. Kamal P.S.
Case No. 176 of 2021 dated 21.07.2021 registered for the
offence(s) punishable under Sections 120(B), 302, 147, 148,
149, 354(B) of the Indian Penal Code and Section 27 of the
Arms Act.

3. As per the prosecution story, informant stated that
on 21.07.2021 at about 8:30 P.M., the accused persons along



with other unknown accused lashed with lathi, danda, sword and rod came to her house, assaulted the informant and her family members and also molested the female members of her family. The petitioner caused firearm injury to the victim, informant's husband, causing his death.

4. The main submissions advanced by learned senior counsel for the petitioner are that the petitioner has been languishing in jail since 17.08.2021 and he has served more than three years in jail and co-accused Adarsh Kumar has been granted bail by this court vide order dated 02.08.2024. passed in Cr. Misc. No. 11838 of 2024 and as per allegation this petitioner fired at the deceased, causing bullet injury at the stomach but his postmortem report does not corroborate the said allegation.

5. Learned APP as well as learned counsel appearing for the informant have opposed the bail prayer of the petitioner and submits that he is the main accused and the trial of the petitioner is on the verge of the end and his case does not stand on similar footing with the accused who is on bail.

6. Heard both the sides and perused the FIR. Petitioner is said to be the main assailant who caused firearm injury at the stomach of the informant's husband who later on died during the course of medical treatment and as per the report



sent by the trial court regarding the status of the trial of the petitioner all prosecution witnesses have been examined and the case is running for recording the statement of the petitioner under Section 313 of Cr. P.C. Considering the nature of allegation as well as stage of the trial of the petitioner, it will not be proper to enlarge the petitioner on bail at this stage, so, his prayer for bail stands rejected.

7. The trial court is directed to expedite and conclude the trial of the petitioner at the earliest keeping in view the fact that the petitioner has been languishing in jail since 17.08.2021 without giving any unnecessary adjournment to both the sides and preferably within three months.

(Shailendra Singh, J)

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