

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90090 of 2024

Arising Out of PS. Case No.-549 Year-2023 Thana- GOPALPUR District- Bhagalpur

Gautam Kumar Yadav @ Gautam Yadav @ Gautam Kumar S/o- Brahamdev
Yadav Resident Of village-Tintenga Karai, P.S-Gopalpur, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

4 24-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Gopalpur P.S. Case No. 549 of 2023 instituted for the offences under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

3. This is the second attempt of the petitioner for bail. Earlier, the petitioner has moved before this Court with a prayer for regular bail which was dismissed vide order dated 24.04.2024 passed in Cr. Misc. No. 30743 of 2024.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 11.11.2023 and there is no likelihood of the conclusion of the trial in near future and,



accordingly, prays for release of the petitioner on bail. He further submits that the co-accused Kavita Devi @ Kawita Devi and Brahamdev Yadav @ Brahamdeo Yadav have already been granted bail by this Court vide common order dated 13.05.2024 passed in Cr. Misc. Nos. 20937 of 2024 and 24946 of 2024 respectively. The prayer for bail of the co-accused Amarjit Kumar @ Amarjeet Yadav however was rejected by the same order dated 13.05.2024 passed in Cr. Misc. No. 24621 of 2024.

5. Pursuant to the order of this Court, the learned court below has sent status report dated 27th of January, 2025, stating therein that out of total 4 charge-sheet witnesses, two accused Kavita Devi and Brahmdev Yadav are on bail. The remaining two under-trial accused are Amarjeet Kumar and Gautam Yadav. It has further been stated that charges are framed in this case and summons have been issued and sent to the prosecution witnesses for evidence. The case is fixed on 10.02.2025 for evidence.

6. After hearing the learned counsel for the petitioner, this Court does not find any fresh ground to revisit the matter which stands already decided by this Court on merit. Accordingly, taking into account the aforesaid facts and circumstances of the case and specifically keeping in view the



present stage of trial as per the report of the learned court below, this court, at this stage, is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is again rejected with a direction to the learned court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from the date of receipt/production of a copy of this order. If the trial is not concluded within the aforesaid period of six months, the petitioner will be at liberty renew his prayer for bail before the court below which will be decided on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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