

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73410 of 2025

Arising Out of PS. Case No.-81 Year-2023 Thana- GOGRI District- Khagaria

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Amar Yadav Son of Late Muso Yadav R/o vill.- Shishwa, P.S.- Gogri, Distt.-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 16-03-2026 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 Gogri P.S. Case No. 81 of 2023 instituted for the offence under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act which was earlier rejected four times.

3. The case of the prosecution is that the the petitioner along with other co-accused persons fired upon the husband of the informant due to which he died. There is specific allegation against the petitioner that he has fired at the chest of the deceased.

4. Learned counsel for the petitioner submits that from perusal of the postmortem report, it will transpire that



there is only one exit wound on the chest. There is no entry wound on the chest. He has further submitted that petitioner is in custody since 25.03.2023 and till today, only charge has been framed.

5. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of regular bail. Learned counsel has submitted that as the petitioner has preferred a quashing, the trial could not proceed and ultimately, it was withdrawn by the petitioner and the charges were framed in January, 2026.

6. From the report of learned trial court, it also transpires that the case is fixed for evidence of prosecution.

7. Learned counsel for the informant has submitted that if the petitioner will cooperate in trial, the trial will be concluded in six months.

8. Having heard the learned counsel for the parties and considering the fact that there is direct allegation against this petitioner, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

9. However, the petitioner will be at liberty to renew his prayer for bail after six months.



10. Petitioner is further directed to cooperate in trial
and not to take flimsy ground for the absence in the trial court.

(Ashok Kumar Pandey, J)

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