

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82853 of 2025

Arising Out of PS. Case No.-313 Year-2023 Thana- MUNGER MUFFASIL District- Munger

Gautam Yadav @ Gautam Kumar @ Kumar Gautam Son of Late Surendra
Prasad Yadav R/o Village- Bahiyaram Toli, P.S.- Kharagpur, District- Munger
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Rakesh Kumar Sharma, Advocate Mr. Adarsh Prihar, Advocate
For the State	:	Dr. Indivar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 05-05-2026 Heard learned Senior Counsel for the petitioner and
learned APP for the State.

2. This is the fourth attempt on behalf of the petitioner for grant of bail in connection with Munger Muffasil P.S. Case No. 313 of 2023 registered for the offence punishable under Sections 302, 201, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier the bail applications of the petitioner were rejected thrice vide orders dated 03.05.2024, 11.09.2024 and 05.03.2025 passed in Cr. Misc. Nos. 18713 of 2024, 65545 of 2024 and 12652 of 2025 respectively.

4. One Anjani Kumari had called the deceased and thereafter, he was found dead.

5. It has come during investigation that Sanjeev



Kumar was a boy friend of Anjani Kumari and he had named the petitioner in his self inculpatory statement as his accomplice in committing the murder of the deceased and materials have come during investigation to connect the petitioner with the crime.

6. The petitioner is in custody since 03.07.2024.

7. Learned Senior Counsel for the petitioner has submitted that though the petitioner is in custody since 03.07.2024, but only one witness has been examined out of 11 witnesses.

8. Learned counsel for the informant has submitted that after the examination of the witness on two dates, the witnesses have appeared but due to the absence of the Court, the witnesses could not be examined.

9. Considering the gravity of the offence and the materials available on record, I am not inclined to grant bail to the petitioner.

10. Accordingly, the application stands dismissed.

11. The undertaking of Mr. K. N. Sahay, learned counsel for the informant is recorded that the prosecution will produce the witnesses on the date fixed. If the prosecution still delays the trial, the prayer for bail of the petitioner may be



renewed.

8. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not express any opinion on the merits of the case.

(Sandeep Kumar, J)

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