

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30577 of 2021**

Arising Out of PS. Case No.-193 Year-2020 Thana- BARGAINIA District- Sitamarhi

SUNNY KUMAR YADAV @ SUNNY KUMAR SON OF GAUTAM
YADAV @ GAUTAM KUMAR YADAV R/O VILLAGE- LAXMIPUR,
WARD NO.27, P.S.- NAGAR SIWAN, DISTRICT- SIWAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dinesh Jha, Advocate
For the Opposite Party/s	:	Ms. Tarun Prasad Mandal, APP
For the Informant	:	Mr. Dwijraj, Advocate

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

3 11-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 365 of Indian Penal Code to which sections 364 and 364 A of the Indian Penal Code were added subsequently.

As per the prosecution case, the son of the informant proceeded with an unknown person and thereafter did not return. In spite of search he was not to be found.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in the confessional statement of co-accused Anil Kumar who in his confessional statement had



taken the name of Azharuddin, Sunil Kumar and the petitioner herein. Azharuddin and Sunil Kumar Yadav have been enlarged on bail. The petitioner is in custody since 6.12.2020. Except for the confessional statement of a co-accused made before police, there is no other material against him. Charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation including the confessional statement of co-accused and the petitioner having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Bairgania P.S. Case no. 193 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Sitamarhi.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

