

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1949 of 2026

Arising Out of PS. Case No.-298 Year-2025 Thana- MIRGANJ District- Gopalganj

Sunesh Yadav, S/O Mainekar Yadav @ Manejar Yadav, R/O Village- Harpur,
P.O.- Koyladeva, P.S.- Mirganj, Distt.- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Y R/O Village- Harpur, P.O.- Koyladeva, P.S.- Mirganj, Distt.- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

8 13-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Despite valid service of notice, no one has appeared
on behalf of the opposite party no.2.

3. In the present case, the petitioner seeks bail in
connection with Mirganj P.S. Case No. 298 of 2025, registered
for the alleged offence under Section 137(2) of BNS and later
on Section 103 of BNS was also added.

4. As per prosecution case, the minor son of the
informant went missing and the informant named the petitioner
and other co-accused persons for being involved in the
kidnapping of his minor son. Subsequently, the dead body of the



minor son of the informant was recovered.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No material has come up against the petitioner except for confessional statement of co-accused brother of the petitioner Indal Yadav. The learned counsel further submits that even in his confessional statement, only allegation has been made against the petitioner that he helped his brother in disposing the dead body of the son of the informant. The learned counsel further submits that even in the said confessional statement of co-accused Indal Yadav, the thrust of allegation of killing and committing immoral act with the son of the informant is against the co-accused Indal Yadav and not against the petitioner. The learned counsel further submits that even the recovery of *gamchha* from which the son of the informant was said to be strangled by the co-accused was recovered at the instance of co-accused and nothing incriminating was recovered at the instance of this petitioner. The learned counsel further submits that the petitioner is in custody since 11.06.2025 and is having clean antecedent. The charge sheet has been submitted.

6. Learned APP for the State opposes the submission made on behalf of the petitioner. The learned APP submits that



the petitioner actively helped his co-accused brother in disposing of the dead body of the minor son of the informant.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there appears no substantive material against the petitioner and further considering the period of custody of the petitioner and his clean antecedent and also considering the submission of charge sheet against the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Gopalganj/court concerned in connection with Mirganj P.S. Case No. 298 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be



cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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