

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2773 of 2026

Arising Out of PS. Case No.-327 Year-2025 Thana- Kavaiya District- Lakhisarai

Satish Kumar S/O Jitendra Mandal R/o Pachna Road, Kiul Basti, ward 22,
P.S.- Kabaiya, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 20114 of 2026

Arising Out of PS. Case No.-327 Year-2025 Thana- Kavaiya District- Lakhisarai

Anup Kumar Son of Shailendra Kumar Resident of Village - Kiul Basti,
Pachna Road, Ward No.- 22, P.S.- Kabaiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 2773 of 2026)
For the Petitioner/s : Mr.Shaishav Kumar, Advocate
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP
(In CRIMINAL MISCELLANEOUS No. 20114 of 2026)
For the Petitioner/s : Mr.Shyamal Prakash, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 01-04-2026 Both the cases have been taken up together for

hearing as they arise out of the same P.S. case and are being

disposed of by this common order.

2. Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

3. The petitioners seek regular bail in Kabaiya P.S.



Case No. 327 of 2025 dated 27-08-2025 registered under Section 103(1), 140(3) and 238 of the *Bharatiya Nyaya Sanhita*, 2023.

4. The prosecution case, in brief, is that the son of the informant left his house on 25.08.2025 at about 10:00 PM and has not returned home since then. It is further alleged that when attempts were made to contact him on his mobile phone bearing number 7632843079, the same was found switched off. The informant has expressed apprehension that some untoward incident may have occurred with her son.

5. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is further submitted that the First Information Report (for brevity, 'F.I.R.') has been lodged against unknown persons. During the course of investigation, petitioner Anup Kumar, in Cr. Misc. No. 20114 of 2026, was arrested on the basis of CCTV footage and he confessed his guilt and disclosed the names of other accused persons. Learned counsel further draws the attention of the Court to paragraph 82 of the case diary which describes the CCTV footage and reveals that the person sitting in front on the motorcycle with the deceased is Anup Kumar, petitioner in Cr. Misc. No. 20114 of 2026, while



the person sitting at the rear with the deceased is Satish Kumar, petitioner in Cr. Misc. No. 2773 of 2026. Consequently, both petitioners were arrested and their confessional statements were recorded in which they disclosed the names of four other accused persons and admitted involvement in the murder along with them. It is next submitted that apart from the confessional statements, there is nothing else on record to implicate the petitioners. Learned counsel further submits that other co-accused persons, namely Raju Kumar and Mohit Kumar @ Mohit Thakur have been granted regular bail by a Co-ordinate Bench of this Court vide order dated 19.03.2026 passed in Cr. Misc. Nos. 4636 of 2026 and 1543 of 2026, respectively. Lastly, it is submitted that petitioner Satish Kumar, in Cr. Misc. No. 2773 of 2026 has been in judicial custody since 08.09.2025 and has clean antecedents whereas, petitioner Anup Kumar in Cr. Misc. No. 20114 of 2026 has been in judicial custody since 04.09.2025 and has no criminal antecedents. It is further submitted that the charge-sheet in this case has already been submitted.

6. Learned Additional Public Prosecutor for the State has opposed the prayer.

7. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, let the petitioners of both the cases be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Lakhisarai or his successor Court in connection with Kabaiya P.S. Case No. 327 of 2025.

8. The applications stand allowed.

(Khatim Reza, J)

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