

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4559 of 2026

Arising Out of PS. Case No.-22 Year-2020 Thana- KALER District- Jehanabad

Sunil Kumar @ Sunil Yadav, S/o Suresh Yadav, R/o Village - Hikshan Bigha,
P.S - Daudnagar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Singh, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Kaler
P.S. Case No. 22 of 2020 dated 22.05.2020, instituted for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

3. The prosecution case, in short, is that co-accused
Abhishek Kumar came to the house of the informant with a
motorcycle and took his son somewhere along with him, but his
son did not return. On the next day, the informant received
information that the dead body of his son was lying roadside. The
motorcycle of Abhishek Kumar was lying there in damaged
condition.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The F.I.R. has been lodged against the sole accused person, namely, Abhishek Kumar. During investigation, the petitioner and other two accused persons have been made accused in this case only on the basis of confessional statement of co-accused, Uma Shankar Sah. It is further submitted that co-accused Uma Shankar Sah, in his confessional statement, has disclosed the name of the petitioner. Learned counsel for the petitioner further submits during trial, the said Uma Shankar Sah and one Janamjay Kumar @ Rudal Yadav have been acquitted *vide* judgment dated 25.02.2022 passed in Sessions Trial No. 115 of 2020 / 57 of 2022. It is further submitted that there is no eye witness to the occurrence. Only on the basis of confessional statement of co-accused, the petitioner has been made accused in this case. Lastly, it has been submitted that the petitioner is in custody since 12.10.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of the like amount each
to the satisfaction of the learned District & Additional Sessions
Judge, IInd, Arwal, Jehanabad in Kaler P.S. Case No. 22 of 2020.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

