

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6901 of 2026

Arising Out of PS. Case No.-464 Year-2023 Thana- CHHATAPUR District- Supaul

Bindul Yadav @ Binod Yadav @ Binod S/O Sugdeo Yadav R/O Village-
Dahariya, Ward No. 09, P.S- Chhatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chhatapur P. S. Case No. 464 of 2023, dated 24-12-2023 instituted for the offence punishable under Sections 363, 364, 365, 120(B), 302 and 201/34 of the Indian Penal Code.

3. The prosecution case, in short, is that after the surgery of the informant's wife at Sandeep Memorial Hospital, his son Nitish Kumar went missing on 20-12-2023 while returning home from the hospital. His mobile phone was unreachable and later found to be switched off. On the next morning, victim's motorcycle was found parked near a tea stall close to the hospital, but he was not found anywhere. On this basis the informant claims that accused Dinesh Yadav along



with four unknown persons, was seen roaming around near the hospital on the same day. He further states that due to previous enmity, the said accused had earlier threatened to kidnap and kill his son. On the basis of these allegations, the informant suspects that the accused persons are responsible for the disappearance of his son. Although the petitioner was not named in the FIR, his name came up later during the investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the FIR was initially lodged against only one accused, namely Dinesh Yadav. During the course of investigation, the wife of the deceased raised suspicion against three persons, namely Ramesh Kumar Yadav @ Fauji, Sandhir Yadav and Bhupendra Yadav in connection with the alleged occurrence. All the aforesaid three accused persons have already been acquitted by the learned Trial Court vide judgment and order dated 26.09.2025 passed in Sessions Trial No. 291 of 2024. The petitioner has been implicated in the present case only on the basis of the confessional statement of co-accused Ramesh Kumar Yadav @ Fauji, who himself has already been acquitted by the learned Trial Court. On the basis



of the said confessional statement alone, the petitioner has been arrayed as an accused in the instant case. Further submission is that another co-accused, namely Md. Salim, has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 13.01.2026 passed in Cr. Misc. No. 45154 of 2025 (Annexure-2). Lastly, it is submitted that the petitioner is in judicial custody since 10.04.2025. Although seven criminal cases were shown to be pending against him, the petitioner has already been acquitted and discharged in all such cases and stands released from the liability of the respective bail bonds.

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

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 and Additional Sessions Judge- VIII, Supaul/ In charge successor Court, in connection with Chhatapur P.S. Case No. 464 of 2023, subject to the following conditions: (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall



be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The application stands allowed.

(Khatim Reza, J)

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