

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.32544 of 2026

Arising Out of PS. Case No.-407 Year-2025 Thana- NOKHA District- Rohtas

Chhotu Yadav @ Chhotu Kumar Son of Bhola Yadav Resident of Village-  
Jakhajor, P.S.- Katoriya, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 32575 of 2026

Arising Out of PS. Case No.-407 Year-2025 Thana- NOKHA District- Rohtas

Umesh Yadav Son of Ishwar Yadav Resident of Village- Burighat, P.S.-  
Katoriya, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 32544 of 2026)

For the Petitioner/s : Mr. Ajay Kr. Thakur, Adv.  
Mr. Rampravesh Nath Tiwari, Adv.  
For the Opposite Party/s : Dr. Mritunjay Kr. Gautam, APP  
For the Informant : Mr. Gaurav Kumar, Adv.  
Mr. Suraj Prakash, Adv.

(In CRIMINAL MISCELLANEOUS No. 32575 of 2026)

For the Petitioner/s : Mr. Rampravesh Nath Tiwari  
For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR  
ORAL ORDER

3      08-07-2026                      Both these cases arise out of same P.S. and are taken  
  
up together for hearing and are being disposed of by this  
  
common order.

2.      Heard Mr. Ajay Kumar Thakur, learned counsel  
  
for the petitioners, Dr. Mritunjay Kumar Gautam, learned



counsel for the State and Mr. Gaurav Kumar, learned counsel for the informant.

3. The petitioners are seeking regular bail in connection with Nokha P.S. Case No. 407 of 2025, dated 24.11.2025, registered for the offences under Sections 137(2), 96, 351(2), 351(3), 3(5) of B.N.S.

4. As per the allegation, the daughter of the informant was studying in intermediate and was also pursuing course of beautician. It is alleged that co-accused Prince Kumar Ray used to pressurize her daughter for marriage and upon refusal, Prince Kumar Ray used to threaten the daughter of the informant as well as the informant with dire consequences. It has further been alleged that, on 20.11.2025, at about 6.45 P.M., the daughter of the informant went outside to bring articles for the beauty parlour, however, she did not return back and after sometime when calls were made on her mobile phone, the same was found to be switched off. It has further been alleged that after sometime, the daughter of the informant called the informant on phone, weeping and saying to save her and stated that Prince Kumar Ray along with four unknown persons has kidnapped her and took her towards Deoghar, thereafter, the mobile phone of the daughter of the informant went switched off. Several



attempts to call her daughter on phone went futile and the phone of Prince Kumar Ray was also found busy. It has further been alleged that, on 24.11.2025, at 6.46 A.M., the informant again made a phone call to Prince Kumar Ray and this time she could be able to make contact with Prince Kumar Ray, then she asked as to why he had kidnapped her daughter, in turn, Prince Kumar Ray said that he does not know her daughter.

5. Learned counsel for the petitioners has submitted that F.I.R. has been registered against Prince Kumar Ray and other four unknown persons. It has further been submitted that there is no eye witness to the alleged offence of murder. It has further been submitted that during investigation, one Aditya Kumar was arrested and he made his confessional statement before police while in police custody, wherein he stated that these two petitioners had helped to conceal the dead body of the deceased, while the allegation of murder was against co-accused Prince Kumar Ray. It has further been submitted that upon such confessional statement before the police, these two petitioners were arrested and these two petitioners further made their inculpatory statement before police while in police custody admitting the fact that upon call made by Prince Kumar Ray, these petitioners had helped in concealment of the dead body of



deceased with the help of the Poklen machine by burying the same in the earth. It has further been submitted that even allegations are accepted to be true, although denying the same, at best, a case under Section 238 of B.N.S. is made out, which is bailable in nature. It has further been submitted that none of the petitioners had helped the co-accused persons either in the alleged kidnapping of the deceased or in alleged commission of the murder of the deceased. It has further been submitted that co-accused Prince Kumar Ray is a Forest Ranger and petitioner Umesh Yadav is a contractor in the Forest Department, while petitioner Chhotu Yadav @ Chhotu Kumar is driver of Poklen machine of petitioner Umesh Yadav and due to fear they had to obey the orders, if any, of the Forest Ranger. It has further been submitted that the petitioners are in custody since 26.02.2026 and have got no criminal antecedents. It has further been submitted that as per the school records, the victim was found to be major on the date of alleged occurrence. It has lastly been submitted that charge-sheet has been filed in this case and there is no allegation of tampering against the petitioners.

6. Learned A.P.P. for the State and learned counsel for the Informant vehemently opposed the prayer for bail of the petitioners. Learned counsel for the informant has further



submitted that the deceased was minor and there are inculpatory confessional statements of the petitioners to have been involved in disposal of the dead body and the dead body was recovered from a forest in a decomposed condition after three months of the alleged occurrence. It has further been submitted that there are ample materials against the petitioners to have participated in the commission of the offence.

7. Heard the parties and perused the record.

8. Considering the facts and circumstances as well as the nature of the materials collected during the course of investigation and the fact that there is no active participation of the petitioners in the commission of alleged murder, rather they are alleged to have participated in the alleged disposal of the dead body of the deceased, which is bailable in nature, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-II, Rohtas at Sasaram, in connection with Nokha P.S. Case No. 407 of 2025, with conditions that the petitioners shall co-operate in the trial and shall remain present physically on each and every date fixed in the trial and upon failure on two consecutive dates without any



reasonable explanation, the Court below would be at liberty to cancel the bail bonds of the petitioners and one of the bailors of the petitioners would be their own close relatives.

**(Praveen Kumar, J)**

Abdus/-

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