

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40014 of 2026

Arising Out of PS. Case No.-4 Year-2026 Thana- SALAIYA District- Aurangabad

Sonu Kumar S/ o Govind Das R/o Village Raja Gardi ,P.S -Salaiya District-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 27-07-2026 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Salaiya P.S. Case No. 04 of 2026, GR No. 200 of 2026, lodged on 19/01/2026, under Sections 103(1) and 238 of the Bhartiya Nyaya Sanhita, 2023, pending in the Court of ACJM-VII, Aurangabad.

3. As per the prosecution, FIR has been lodged by the informant stating that her son went for playing but did not return. When she along with other family members started searching, then it has been informed by the villager that he was



seen with the petitioner near the river. On the next day, his dead body was recovered and on suspicion this case has been lodged against the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that on the basis of last seen theory, the petitioner has been made accused. Counsel submits that the occurrence took place on 19/01/2026 and the case has been lodged on 20/01/2026. Counsel also submits that the inquest has been made prior to filing of the FIR, which creates doubt. Counsel submits that from the FIR itself there was nothing against the petitioner save and except the suspicion. Counsel further submits that on the previous occasion, the case diary was called for. Counsel submits that petitioner is in custody since 21.01.2026 having clean antecedent. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that the villagers had seen in the evening near the bank of river that the deceased and the petitioner were playing together. On the basis of this suspicion, the petitioner has been made accused. On the



next day, the dead body was recovered and the confession had been made by the petitioner and the said confession was also corroborated as the weapon by which the petitioner was murdered had also been recovered. Counsel submits that the mode in which murder was committed has been supported by post mortem report.

6. Considering the fact that confession is fully supported by corroboration, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby refused.

(Dr. Anshuman, J)

Mkr./Anshuman/

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