

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89449 of 2025

Arising Out of PS. Case No.-36 Year-2020 Thana- PASRAHA District- Khagaria

Naresh Yadav Son of Bisheshwar Yadav Resident of Village- Bandehara, P.S.-
Pasraha, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Pasraha P.S. Case No.36 of 2020 registered for the offence punishable under Section 365 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the son of the informant, namely, Manish Kumar @ Vishal Kumar aged about 22 years was missing from 19.04.2020. When the informant made call on his mobile, the mobile was switch off.

4. Learned counsel appearing on behalf of the petitioner has submitted that as per the case of the prosecution, the date of occurrence is 19.04.2020 and the FIR was lodged on 23.04.2020 and that in FIR there is no name of any accused persons. During course of investigation it has come in Paragraph '41' of the case diary that the petitioner and one Tufani Yadav



had calls with the deceased. The witnesses who have been examined during course of examination have stated that on the basis of above information the petitioner and one Tufani have concealed him. Learned counsel for the petitioner has further submitted that in Paragraph '167' also it has come from the mouth of spy that the petitioner and one Tufani are having role in the present offence. Learned counsel for the petitioner has further submitted that there is no eye-witness to the case and from perusal of the entire diary it is clear that save and except CDR and that the petitioner had made calls to the son of the informant, there is nothing against him. Till today, neither the son of the informant is recovered nor any cogent material has been brought on record to establish the role of this petitioner in the occurrence. Learned counsel for the petitioner has lastly submitted that the petitioner is in judicial custody since 18.07.2025.

5. Countering this, learned APP for the State has vehemently opposed the bail and has stated that as the petitioner had made calls to the son of the informant, there is specific material against him. Learned APP has further submitted that the petitioner is having criminal antecedent of nine cases.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail *with the condition that the petitioner shall co-operate in the trial; shall remain physically present on each and every date in the learned trial court whenever required and shall also mark his weekly attendance at Pasraha P.S.* The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned C.J.M., Khagaria in connection with Pasraha P.S. Case No.36 of 2020.

(Ashok Kumar Pandey, J)

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