

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60238 of 2023

Arising Out of PS. Case No.-272 Year-2023 Thana- JAMUI District- Jamui

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TUN TUN KUMAR @ TUN TUN YADAV S/O- RAM BILAS YADAV R/O-
VILLAGE- SULTANPUR, P.S.- JAMUI, DIST.- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner, informant and
learned APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 120B and 34 of the Indian
Penal Code.

3. The allegation against the petitioner along with
another is of killing the brother of the informant and his dead body
was lying in the udaypur Baihar.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR. There is
no eye-witness of the alleged occurrence. On the basis of
suspicion, petitioner has been implicated in the present case.
Petitioner is languishing in judicial custody since 06.05.2023.



5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that the petitioner was apprehended by the police and further his confessional statement was recorded at vide para-20 of the case diary, in which, the he has very categorically admitted his guilt and stated that on the alleged date of occurrence, he has killed the brother of the informant by assaulting him with an iron rod. They further submitted that on the basis of information given by the petitioner the '*Shaul*' as well as the iron rod, by which the petitioner has killed the deceased was recovered by the police. The postmortem report has also supported the prosecution case. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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