

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59659 of 2022

Arising Out of PS. Case No.-165 Year-2022 Thana- MALSALAMI District- Patna

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AMIT KUMAR @ TUFANI @ TUFANI SINGH SON OF JITENDRA
KUMAR SINGH R/O VILLAGE- AIR FORCE STATION, BIHTA,
KORHAR, P.S.- BIHTA, DISTRICT- PATNA, AT PRESENT RESIDING
MOHALLA- BUNDEL TOLI, P.S.- MALSALAMI, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 13-04-2023 Heard the learned counsel for the petitioner as well
as Shri J.N. Thakur the learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Malsalami P.S. Case No. 165 of 2022,
registered for the offences punishable under Sections
302/201/120(B) of the Indian Penal Code.

As per allegation, informant is father of Aryan
Kumar who was kidnapped and thereafter murdered. As per
allegation in the FIR, co-accused Sharukh and Tufani Singh
called him from his house, since then he became traceless.
Later on his dead body was recovered.

The learned counsel for the petitioner has
submitted that except the evidence of last seen there is nothing



against the petitioner.

On the other hand, Shri J.N. Thakur, the learned APP has opposed the prayer for bail and submitted that the witnesses in paragraph No. 5 and 6 have stated that the petitioner was also amongst the accused persons who called the deceased from his house. He has also submitted that confessional statement of this petitioner has been recorded in paragraph No. 63 of the case diary in which he has stated that he along with deceased and other co-accused persons consumed liquor, thereafter he in accordance with conspiracy got the deceased to be seated in his vehicle along with co-accused Sharukh, thereafter he came to know that co-accused Monu toutured him to death by wrapping *gamcha* around his neck. The petitioner is also a person of criminal antecedent as per his confessional statement.

Considering the above mentioned facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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