

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39582 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- LADAIYATAR District- Munger

Tinku Koda @ Tinku Kumar Koda Son of Suren Koda Resident of Village-
Khopapar, P.S.- Ladhaiyatand, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Devesh Kumar Singh, Advocate
For the State	:	Mr. Satya Nand Shukla, APP
For the Informant	:	Mr. Arvind Kumar Singh, Advocate
		Mr. Sanjay Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-09-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and Mr. Satya Nand Shukla, learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 126(2),
115(2), 137(2), 140(1), 352, 351(2) and 3(5) of the B.N.S.

3. The case of the prosecution in short is that the son
of the informant namely, Santosh Kumar has solemnized love
marriage with Rekha Kumari against the will of the family. It is
further alleged that the son of the informant did not return.
When he was being searched, the informant went to the house of
Tinku Koda (the petitioner), then the two wives of the petitioner
told that Santosh Kumar was taken towards jungle after being
assaulted. The informant believes that the petitioner along with



family members has concealed the body of Santosh Kumar after killing him.

4. Learned counsel for the petitioner has submitted that the only material against the petitioner is that he has given his confessional statement which is there in the Paragraph '37' of the case diary and on his disclosure the dead body was recovered as per the claim of police. The petitioner is a man of clean antecedent and is in judicial custody since 14.01.2025.

5. Learned counsel for the Informant is present and has submitted that the dead body has been recovered on his disclosure though confessional statement before police is not admissible but disclosure leading to recovery is admissible and relevant in view of paragraph 27 of the Indian Evidence Act.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage, however, he may renew his prayer for bail after six months if the trial is not concluded.

(Ashok Kumar Pandey, J)

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