

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77943 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- MALI District- Aurangabad

Kunal Pandey @ Chottu Pandey S/o Hardeo Pandey Residents of village-
Loknath Bairwan, P.S.- Mali, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Kamendra Prasad Singh, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP
For the Informant : Mr. Piyush Tiwari, Advocate
: Mr. Saket Gupta, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mali
P.S. Case No. 27 of 2024 instituted for the offences under
Sections 302, 120B of the Indian Penal Code and 27 of the
Arms Act.

3. As per prosecution case, the accusation against the
petitioner is of committing the murder of the informant’s
husband.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of mobile phone call between the co-accused and the petitioner. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. There is case and counter case between the parties. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.08.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP as well as learned counsel for the informant jointly submitted that as per paragraph no. 17 of the case diary, the petitioner has himself confessed his guilt and stated that he had assaulted the petitioner using brick on the head of the deceased due to which he died.

6. Considering the aforesaid facts and circumstances of the case, the material available in the case diary, this Court is not inclined to grant bail to the petitioner at this juncture.

7. Accordingly, prayer for grant of bail to the petitioner is rejected.



8. Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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