

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76281 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- NEORA District- Patna

Tunnu Kumar Son of Baldev Ray Resident of Village- Bechu Tola, P.S.-
Neura, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rudal Prasad, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP
For the Informant	:	Mr. Ansul, Sr. Advocate
		Ms. Sagarika, Advocate
		Mr. Aditya Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Neura P.S. case No. 94 of 2024 instituted for the offence under Sections 302, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that the son of the informant, namely, Amlesh Kumar @ Rakesh Kumar was called by someone for some work. When the son of the informant reached there, Upendra Rai caught hold him and this petitioner shot dead him. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. Learned counsel for the petitioner has submitted that from perusal of the diary it will transpire that the inquest was prepared and postmortem was conducted prior to the filing of the F.I.R. He has also submitted that there is no material against him. Moreover, the petitioner is languishing in judicial custody since 07.06.2024.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and learned counsel for the informant has submitted that in this case one Jakky has given his confessional statement and in his confessional statement he has stated that this petitioner has fired on the head of the deceased. The FIR is also to the same effect. During course of investigation, the I.O. has recorded the statement of two witnesses, namely, Ashok Kumar and Rahul Kumar who have also stated that this petitioner has fired on the head of Amlesh Kumar @ Rakesh Kumar. From perusal of the diary, it transpires that there is direct allegation of firing against this petitioner which has been supported by the witnesses during investigation.

6. Having heard the learned counsel for the parties and considering the fact that there is direct allegation against



this petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. However, the petitioner will be at liberty to renew hi prayer for bail after six months if the trial is not concluded.

(Ashok Kumar Pandey, J)

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