

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24605 of 2026

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

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Tinku Koda @ Tinku Kumar Koda S/O Suren Koda R/O Village- Khopapar,
P.S- Laraiyatand, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Saurabh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 01-07-2026 Heard learned counsel for the petitioner and 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. Learned counsel for the petitioner has submitted that earlier the bail petition of this petitioner was rejected with an observation that “*he may renew his prayer for bail after six months if the trial is not concluded*”.

4. A report from the learned trial court was called and from perusal of the report it transpires that out of 12 charge-sheet witnesses only one witness has been examined.

5. Now coming to the merit of this case, 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.

6. 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.

7. Learned APP for the State has vehemently opposed the bail 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 Section 27 of the Indian Evidence Act.

8. 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.

9. Learned trial court is directed to expedite the trial, so as to conclude the same within the said period.

(Ashok Kumar Pandey, J)

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