

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4179 of 2017

Arising Out of PS.Case No. -233 Year- 2015 Thana -POTHIYA District- KISANGANJ

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1. Saddam Hussain @ Saddam Hussin Son of Shamsul Haque Resident of Village- Panja Bari, Police Station- Pothia, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 17-04-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner is in custody since 10.10.2015 in connection with S.T. No. 508 of 2015 arising out of Pothia P.S. Case No. 233 of 2015 registered under Sections 302 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is quite innocent and he has not committed any offence. In fact, the petitioner has been made accused in this case on the basis of suspicion, which is evident from the F.I.R. itself. During course of trial, no any direct material has come against the petitioner except confessional statement of the petitioner. The petitioner is rotting in custody for the last 17 months.

Learned A.P.P. for the state has opposed the prayer for bail and submitted that there is direct allegation of murder of his wife



against the petitioner and the petitioner has also confessed his guilt before the police. Moreover, there are sufficient material against the petitioner, which is evident from paragraphs, 8, 9, 10, 23 and 24 of the case diary,

Considering the facts and circumstances of the case, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for regular bail of this petitioner, is, hereby, rejected.

(Arvind Srivastava, J)

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