

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24469 of 2019

Arising Out of PS. Case No.-246 Year-2014 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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MD. SADDAM @ MURLI @ CHHOTU @ MURLI CHHOTU Son of Md.
Israil, Resident of Mohalla- Jhoparpatti Bhikhanpur, P.S.- Ishakchak, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tarun Prasad Mandal
For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-07-2019 The present petition has been filed for grant of regular

bail by way of second attempt, in connection with Sessions Trial

No. 324 of 2015 arising out of Kotwali (Adampur) P.S. Case

No. 246 of 2014 registered for the offence punishable under

Sections 302/201/34 of the Indian Penal Code, inasmuch as the

earlier petition filed by the petitioner for grant of regular bail

was rejected by an order dated 04.07.2018 passed in Criminal

Misc. No. 24912 of 2018.

Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The allegation in the present case is regarding the

accused persons having killed the deceased.

The learned counsel for the petitioner has submitted



that the petitioner is languishing in custody since 15.09.2016 i.e. since about two years ten months.

I have perused the materials on record as also the earlier order of this Court dated 04.07.2018, whereby this Court upon perusal of the case diary was of the opinion that there was enough material to proceed against the petitioner and it would not be in the interest of justice to grant bail to the petitioner especially since charges had been framed and three witnesses had been examined by the prosecution as also for the reason that the petitioner is having a bad criminal antecedent, he being an accused in the three other cases.

This Court does not find any change in circumstance from the time the prayer of the petitioner for grant of regular bail was rejected by the earlier order passed by this Court on 04.07.2018 and moreover the learned 10th Additional District & Sessions Judge, Bhagalpur by his letter dated 25.04.2019, has informed this Court that after framing of the charge on 07.11.2015, six witnesses have already been examined and process have been issued for appearance of the rest of the witnesses.

Having regard to the facts and circumstances of the case especially in view of heinous crime committed by the



petitioner and there being no change in circumstances during the interregnum period, I do not find any merit in the present petition, hence the prayer of petitioner for grant of regular bail is rejected.

(Mohit Kumar Shah, J)

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