

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45796 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- DULHIN BAZAR District- Patna

Md. Saddam, son of Md. Hasan Raja, Resident of Village - Kopa, P.S.- Dulhin Bazar, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad, Advocate
For the Opposite Party/s : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 11-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Dulhin Bazar PS Case No.01 of 2019 dated 01.01.2019 instituted under Section 302 of the Indian Penal Code.

3. The petitioner is accused of killing his niece, who was the daughter of the informant.

4. Learned counsel for the petitioner submitted that the allegation is false as no uncle would kill his niece and that too of such tender age of three years. It was submitted that nobody has seen the petitioner killing the child and the confessional statement has been extracted by the police. It was further submitted that he is in custody since 02.01.2019.



5. Learned APP, from the case diary, submitted that the reason is given in the First Information Report itself with regard to the motive and further that the petitioner has admitted to the crime and has given reasons which are natural and clearly indicate that the motive to kill was strong. It was submitted that the petitioner has expressed his deep resentment to the conduct of the informant towards him and his parents and to take revenge, he has killed the child. It was further submitted that the postmortem report shows that the doctor has found injury on the face and death was due to swallowing of water which is corroborated from the confessional statement.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

J. Alam/-

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