

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68141 of 2021

Arising Out of PS. Case No.-183 Year-2021 Thana- JOGAPATTI District- West Champaran

JAHIR HUSSAIN Son of Late Nurul Hoda Resident of Village -
Banuchhapar, Ward No. 10, P.S. - Bettiah Muffasil (Banuchhapar O.P.),
District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-05-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 302/201 of the Indian Penal Code.

Based upon the recovery of a dead body kept in a
plastic sack near the Tirhut Canal, the instant case came into
existence and during course of investigation, the petitioner has
confessed his guilt of having killed his daughter.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the F.I.R. is instiuted against the unknown and neither the
petitioner has been last seen with the deceaed nor he has
committed murder of his daughter. He further submits that



though the petitioner has confessed his guilt before the police but the same has no evidentiary value in the eyes of law. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 05.06.2021.

Learned A.P.P. for the State has, vehemently, opposed the prayer for bail of the petitioner and submits that it is a sarcastic case where a motherless daughter has been killed by her own father, who has performed second marriage after death of his first wife. The unfortunate man has confessed his sin and for that he has to undergo maximum incarceration. His confession has categorically been recorded in paragraph-58 of the case diary and the same is quit sufficient for prosecution of the petitioner.

Considering the facts and circumstances of the case and the rival submission of the parties and also the barbarity of offence, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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