

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52982 of 2022

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

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Md Saddam @ Mohammad Saddam S/O Mohammad Hasan Raja @ Md. Hsan Raja Resident Of Village- Kopa, P.S.- Singhara, P.S.- Dulhin Bazar, District- Patna.- 801102.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Narayan Sharma
For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner has renewed his prayer for bail which was earlier twice rejected vide orders dated 11.12.2019 and 28.07.2021 passed in Cr. Misc. Nos. 45796 of 2019 and Cr. Misc. No. 9493 of 2021 respectively.

The allegation against the petitioner is of killing his three years niece, who was the daughter of the informant.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is no eye witness to the occurrence and only on the basis of hearsay evidence, the petitioner has been roped in the present case. It is further submitted that due to family dispute, the petitioner has been made accused in this case. The petitioner is languishing in custody since 02.01.2019. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that there is no fresh ground to reconsider the prayer for bail which was earlier twice rejected. He further submits that confessional statement of the petitioner is a very natural confession as he has expressed deep resentment at the conduct of informant towards him and his parents and to take revenge, the child was killed. 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 and further that witnesses have stated that petitioner was seen going with the deceased girl.

In pursuance to the direction of this Court, a report with regard to the present stage of the trial has been received which has been kept at Flag-R. The report of learned Additional District-VII, Danapur dated 24.06.2023 suggests that trial shall be concluded as soon as possible as fresh non-bailable warrant against non-examined unofficial witnesses through S.S.P, Patna ha already been issued.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, this Court is not inclined to take a different view in the matter. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial



and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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