

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22472 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Saddam @ Saddam Hussain Son of Bhikhari Ray @ Bhikhar Miya Resident
of Village- Chamanpura, P.S.- Baikunthpur, District- Gopalganj
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

4 27-11-2025 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Baikunthpur (Baikkunthpur) P.S. Case No. 122 of 2024, registered
for the offences punishable under Sections 328, 302/34 of the IPC.

3. As per the prosecution story, the informant is brother of
the deceased. As per allegation, informant received telephonic
information from the petitioner that informant's brother (the
deceased) was not well and he called him. After half an hour, the
petitioner informed the informant that his brother had died. Informant
had suspicion that the petitioner and other named accused persons
forcibly administered poisonous substance to the deceased.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in this
case. He has further submitted that the petitioner and the deceased
were friends and on occasion of petitioner's marriage, the deceased
was invited. He consumed illicit liquor and due to excessive



consumption of liquor, he died. It has further been submitted that the FSL report was called for which is available with the record. As per the FSL report, ethyl alcohol was found from the viscera. This shows that it is a case of consumption of spurious liquor. He has further submitted that except suspicion, there is nothing against the petitioner to show his involvement in the present case. The petitioner is a person of clean antecedent.

5. On the other hand, learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M-1st Class, Gopalganj in connection with Baikunthpur (Baikkunthpur) P.S. Case No. 122 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS, 2023.

7. Office is directed to return the FSL report to the Director, FSL, Muzaffarpur in a sealed cover, for its onwards transmission to the learned Court below.

(Nawneet Kumar Pandey, J)

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