

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34716 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Saddam Ali @ Sadam Hussain Son of Manjur Ali Resident of village -
Ekderwa, Baluapar, P.S.- Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devashish Giri, Adv

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Gopalganj P.S. Case No. 125 of 2025 registered for the

offences under Sections 103(1) and 3(5) of the Bharatiya

Nyaya Sanhita.

3. The petitioner is not named in the F.I.R. and is in

custody since 19.02.2025.

4. As per FIR, named co-accused persons

committed murder of the son of the informant by pressing his

neck by rope. Informant claimed to be an eye-witness of the

occurrence.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in the FIR and his name transpired during the course of investigation on the basis of statement of married sister of this petitioner, who is also the sister of the deceased. In this context it is submitted that as per said statement an altercation took place between the petitioner and deceased due to certain family issues, when deceased was in drunken condition and under influence of alcohol he committed suicide by hanging himself with a tree branch in a nearby field. It is also submitted that married sister also stated that dead body was dropped down by this petitioner by cutting the rope.

6. Arguing further, it is submitted by learned counsel that on the basis of aforesaid statement of sister of deceased, self-confession of petitioner was recorded. It is submitted that as informant claimed himself to be an eye-witness of the occurrence, who is father of the deceased as well as father of this petitioner, named 4-5 accused persons and therefore, there is no room for doubt as to disbelief his version at this stage. It is submitted that even post-mortem



report appears corroborated with the allegation as raised by informant being eye-witness suggesting death was caused by **“asphyxia due to ligature strangulation”**. If version of married sister of petitioner or deceased be taken into consideration the cause of death must be hanging, which prima-facie creates a doubt qua statement of married sister of petitioner, which was raised due to family dispute for false implication of this petitioner. While concluding the argument it is submitted that, petitioner is a man of clean antecedent and moreover, investigation of this case is already completed, and as such, there is no chance of tampering with the evidence.

7. Learned APP appearing on behalf of the State, opposes the prayer for bail.

8. In view of aforesaid factual submission and by taking note of fact as informant is the eye-witness of the occurrence, who is none but father of the deceased and failed to name this accused/petitioner, coupled with the fact as petitioner remains in custody since 19.02.2025, accordingly above named petitioner, is directed to be released on bail in connection with Gopalganj P.S. Case No. 125 of 2025 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
learned Chief Judicial Magistrate, Gopalganj/concerned court,
subject to the conditions as mentioned under Section 480(3)
of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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