

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62571 of 2025

Arising Out of PS. Case No.-47 Year-2024 Thana- HASPURA District- Aurangabad

Ahtesham @ Ahetsham Khan @ Saddam Hussain S/O Late Ajijurah Rahman
R/O Village- Chauri, P.S.- Daudnagar, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manu Tripurari, Advocate
	:	Mr. Raghu Raj Pratap, Advocate
	:	Mr. Apurv Harsh, Advocate
	:	Ms. Jaya Singh, Advocate
	:	Mr. Pranshu Prakash, Advocate
	:	Mr. Hritik Anand, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-11-2025 Heard Mr. Manu Tripurari, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is in custody in connection with
Haspura P.S. Case No. 47 of 2024 for the offence punishable
under Sections 365, 302, 120(B) and 34 of the Indian Penal
Code, lodged on 02.03.2024 by the informant Pradeep Kumar.

3. As per the prosecution story, the allegation is that
the father of the informant went out on his motorcycle but failed
to return, later his mobile was also switched off, which followed
the FIR. The investigation took place whereafter, these two
petitioners were apprehended and on the confession made by the
petitioner, Saddam Hussain, the head of the beheaded body was



recovered/seized.

4. Earlier, the bail petition of the petitioner was rejected vide Cr. Misc. No. 52886 of 2024 and this is the second attempt.

5. The Trial Court Report was accordingly called for, according to which, out of nineteen witnesses twelve have already been examined and rest seven are to be examined.

6. Learned counsel for the petitioner submits that his name has cropped up in the confessional statement of Shadab Khan and at best can be put in the category of conspirator. Others, namely Buland Akhtar and Rajeen Aslam have been granted relief by coordinate Bench vide Cr. Misc. No. 55420 of 2024 and Cr. Misc. No. 6306 of 2025 (Annexure-4 Series of the petition).

7. Learned APP, Mr. Jitendra Kumar Singh, opposes the prayer submitting that the two accused persons who have been granted bail, allegation against them relates to disposal of the body. So far as this petitioner is concerned, he alongwith Shadab Khan conspired to kill the deceased, this petitioner as per the investigation visited the farm house of Shadab Khan where both killed Sushil Kumar Singh and subsequently at his behest, the dead body was disposed of. The fact that the head



has been recovered from a different place on the statement of another witness, Saddam Hussain cannot be ignored.

8. Considering the aforesaid facts as also the role that has been played by the petitioner as alleged, twelve out of nineteen witnesses have been examined, in that background, this Court is not inclined to extend him privilege of bail.

9. Accordingly, the bail application stands rejected.

10. In view of the fact that the petitioner is in custody since 19.03.2024, in that background, it is expected that the the Trial Court ensure that the trial is taken to its logical conclusion in next nine months.

(Rajiv Roy, J)

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