

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3882 of 2018

Arising Out of PS. Case No.-111 Year-2017 Thana- KARJA District- Muzaffarpur

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Mohd. Alam @ Md. Alam Son of Late Mohd. Sarfuddin @ Sarfuddin
Resident of Village-Madho Chapra, Post Office- Badka Gaon, Police Station-
Karja, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
27.06.2017 in connection with Sessions Trial No. 610 of 2017
arising out of Karja P.S. Case No. 111 of 2017 pending in the
Court of learned 7th Additional Sessions Judge, Muzaffarpur
registered for the offence punishable under Section 302 of the
Indian Penal Code, although charge-sheet has been submitted
under Section 304(B) of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his sister, Apsana Khatoon was found dead in her
matrimonial house lying on a cot out side the house. She has
been tortured by her husband, the petitioner and in-laws for non-



fulfilment of demand of dowry and have killed her.

It has been submitted by the learned counsel for the petitioner that he is innocent, no such offence is made out against the petitioner and that charge-sheet has already been submitted.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the deceased has been found dead in the matrimonial house and as per postmortem report, deceased died due to asphyxia by hanging.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner. This application is, accordingly, rejected.

However, trial court is directed to expedite the trial and conclude the same preferably within a period of six months.

(Nilu Agrawal, J.)

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