

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9724 of 2023**

Arising Out of PS. Case No.-255 Year-2022 Thana- BARAUNI District- Begusarai

MD. SABIR @ MD. SABIR ALAM @ MD. SABIR AHMAD S/O AMZAD  
ALI @ MD. AMZAD SAH Resident of village- Ninga Tola Mirjapur Chand,  
P.S.- Begusarai, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vinod Gautam, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      17-08-2023      Heard the parties.

The petitioner is in custody in connection with Barauni P.S. Case No. 255 of 2022 for the offence under sections 302, 304(B) and 34 of the Indian Penal Code lodged on 09.06.2022 by the informant, Md. Shaukat Ali.

As per the prosecution story, the informant was married to the victim lady but was tortured for dowry and on the fateful day, villagers informed about her death followed by the F.I.R.

Learned APP has taken this Court to the order sheet of the learned Session Judge to show that the post-mortem report has opined the death due to choke with rope or cloth.

The petitioner being husband cannot be exonerated of



the said charges and accordingly, the petition stands rejected.

In view of the fact that the petitioner is in custody, the trial Court is directed to expedite the trial and conclude the same preferably within a period of one year.

**(Rajiv Roy, J)**

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