

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27891 of 2018**

Arising Out of PS. Case No.-61 Year-2018 Thana- RAMNAGAR District- West Champaran

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1. Bhalu @ Bhulu @ Bhattu Khan son of Aziz Khan @ Sadrudin Khan
  2. Azamtara Khatoon wife of Bhattu Kan
  3. Nazam Khan
  4. Salman Khan, both S/o Bhalu @ Bhulu @ Bhuttu Khan, all residents of village Bargavan, P.S. Bagaha, District West Champaran

... .. Petitioner/s

Versus

1. State Of Bihar
2. Sabina Khatoon wife of Anwarul Khan, resident of village Bargavan, Police Station Bagaha, District West Champaran, at present D/o Bhulan Khan, resident of village Dainmarwa, Police Station Ramnagar, District West Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anand Kishore Choudhary  
For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      31-07-2018                      Heard learned counsel for the petitioners and learned APP  
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 307, 406, 420, 498A, 376, 120B of the Indian Penal Code.

Allegation against the petitioners is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry. Further allegation is that the petitioner No.1 allured the victim and established physical relationship with her.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. There is no medical examination report in support of the allegations made in respect of offence under Section 307 I.P.C. So far the offence under Section 376 I.P.C. is concerned, same is alleged to have been committed prior to solemnizing the marriage of the husband of the informant. Rest of the offences are triable by the Magistrate. The petitioners have relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bagaha, West Champaran in connection with Ramnagar P.S. case No.61 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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