

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66122 of 2019**

Arising Out of PS. Case No.-22 Year-2019 Thana- KANGLI District- West Champaran

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ZIKRULLAH KHAN @ JIKRULLHA KHAN @ JIKRUAAH KHAN Son of
Lal Khan Resident of Village - Kathiya Mathia, P.S.- Kangali, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyavrat Verma

For the Opposite Party/s : Mr.Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 12-12-2019 Heard learned counsel for the petitioner, learned

counsel for the informant and learned Additional Public

Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Kangil P.S. Case No. 22 of 2019 registered
under Sections 341, 342, 323, 376, 504 and 506 read with 34 of
the Indian Penal Code and Section 4 of Dowry Prohibition Act,
1961, pending in the court of learned Judicial Magistrate - 1st
Class, Bettiah, West Champaran.

Learned counsel for the petitioner has mainly
submitted before this court that the story alleged by the
informant is not believable as in his submission it is difficult to
understand that how the petitioner will go merely on allurements



of marriage to Delhi and will continue for six months establishing physical relationship with the petitioner. It has also been argued that the subsequent story stated by the informant that on 14.02.2019 the two brothers of this petitioner had abducted her and thereafter she was taken to Delhi and again this petitioner entered into physical relationship with her is highly improbable. Learned counsel submits that it is a case of false implication and only because the petitioner has refused to marry the informant, she has come out with a false case.

Learned counsel for the informant has opposed the prayer for anticipatory bail of the petitioner. It is submitted that the allegation against the petitioner is that of allurement by making promise to marry and thereafter having established physical relationship continuously with this informant the petitioner has left her because her father was unable to fulfill the demand of Rs. One Lakh and one Motorcycle.

Learned A.P.P. for the State has also opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein at this stage the petitioner is seeking anticipatory bail but there are allegations made by the informant clearly stating that she was allured in the name of marriage to enter into



physical relationship, the nature of allegations being such that this court would not grant privilege of anticipatory bail to the petitioner.

In the opinion of this court, if the petitioner surrenders and prays for regular bail before the court below within a period of four weeks from today, the same shall be considered by the court below keeping in view the entire submissions which have been made by this petitioner, for the purpose of grant of regular bail on the basis of the materials available on the record and in accordance with law.

(Rajeev Ranjan Prasad, J)

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