

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31100 of 2024

Arising Out of PS. Case No.-21 Year-2023 Thana- NAUTAN District- West Champaran

Takdir Alam Son of Jalim Miyan Resident of Village- Ramnagar Bairiya, P.S-
Nautan ,Dist- West Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sarvesh Kashyap

For the Opposite Party : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This application for anticipatory bail arises
out of Nautan P.S. Case No.21 of 2023 registered for the
offence punishable under Sections 304-B & 120-B/34 of the
Indian Penal Code.

3. The petitioner is the husband of the deceased.
He is said to have tortured his wife and killed her.

4. It has been submitted by learned counsel for
the petitioner that when the occurrence took place the petitioner
was not present in the country and he is staying in *Riyadh*
(*Saudi Arabia*). In support of this submission, photocopies of
some pages of the passport of the petitioner has been produced.

5. In view of the above, this application is



disposed of with a liberty to the petitioner to surrender before the Court below within three months from today and pray for regular bail. While surrendering, the petitioner will produce his original passport. If on examination, the Magistrate finds that the petitioner was not available in the country on the date of occurrence then the petitioner will be released on bail. If the Magistrate finds that the petitioner was present in the country on the date of occurrence then he will pass appropriate order.

6. The Magistrate is being directed to verify the passport of the petitioner and pass order accordingly. He will not dismiss the bail application of the petitioner on the ground that he has no power to grant bail in a case under section 302 of the Indian Penal Code.

(Sandeep Kumar, J)

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