

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53575 of 2018

Arising Out of PS.Case No. -132 Year- 2018 Thana -PIPRA District- EASTCHAMPARAN
(MOTIHARI)

- =====
1. Ajmeri Khatoon, Wife of Nezam Khan.
 2. Rukshana Khatoon @ Ruksar Khatoon, Wife of Saheb Khan
 3. Robina Khatoon, Wife of Munna Khan, All are resident of Village-
Kanth Chhapra, Murgiatola, P.O. and P.S.- Pipra, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 06-09-2018 Heard learned counsel for the petitioners as well as
learned APP.

Informant who happens to be daughter-in-law of
petitioner no.1 and Gotni of petitioners no.2 and 3, while was
living with them in absence of her husband who has gone to Saudi
Arabia, was being forced to bring Rs. 1 Lakh as well as a
motorcycle and in the aforesaid background, was repeatedly
tortured. It has also been disclosed that for the last two days, she
was confined in a room without having access even to water and
food and then, on 03.06.2018 she was taken out from the room and
then, the accused persons were going to set her on fire, however,
she resisted whereupon, she was brutally assaulted by *Lathi*, Iron
rod, fists and slaps as a result of which, her right eye, right hand



are found severely injured. Furthermore, Saheb Khan gave rod blow over her head as a result of which, she sustained severe injury. It has also been disclosed that she has lost her eye-sight. Accused persons took away her ornaments. They have also torn her clothe and then thereafter, she was ousted from her *Sasural*. Villagers intervened and anyhow rescued her. Then her *Naiharwala* was informed wherefrom her father and others came and took her to hospital.

It has been submitted on behalf of petitioners that all the petitioners are ladies and so, at first glance, they are entitled to be allowed to avail anticipatory bail. It has further been submitted that the allegations whatsoever been attributed at the end of informant are omnibus. It has also been submitted that both the parties are own *Pattidars* and because of the fact that informant happens to be separate in mess and business and further, in absence of her husband tried to encroach upon their property which was resisted, in the aforesaid background, got this case instituted taking her *Naiharwala* in collusion.

Learned APP opposed the prayer for bail.

Informant as well as petitioners are female. One is victim and the others are aggressors. *Inter se* relationship is also delicate. After all they happen to be constituent of one family and



in the aforesaid background, there should be some sort of sympathy in order to preserve the unit of the family. The learned lower court while considering regular bail at the end of petitioners, will consider the aforesaid aspect along with the fact that there happens to be omnibus allegation. In terms thereof, instant petition is disposed of.

(Aditya Kumar Trivedi, J)

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