

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81086 of 2019**

Arising Out of PS. Case No.-134 Year-2019 Thana- THAKURGANJ District- Kishanganj

BENJIR @ BENJIR BEGAM Wife of Sadik @ Sadique Alam Resident of  
Village- Jharbari, P.S.- Thakurganj, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar  
For the Opposite Party/s : Mr.Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      13-02-2020      A supplementary affidavit has been filed by the petitioner.

Let it be kept on record.

Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner has filed the instant application for grant of  
anticipatory bail apprehending his arrest in a case registered for  
the offence under sections 324, 307, 337, 338, 504, 506 and 34  
of the Indian Penal Code.

As per allegation in the F.I.R, it is stated that when the  
petitioner who is an Anganbari Sevika attempted to send back  
the children without giving them anything and on 'hulla being  
raised' she called her husband, who came and started to abuse. It  
is further stated that when the informant's son Nazir went to get  
his son, the petitioner provided a knife to her husband who



injured Nazir. It is stated that the petitioner also struck Abid Hussain with brick.

It is submitted by learned counsel for the petitioner that from description of the accused persons and the informant it would transpire that the informant happens to be mother-in-law of the petitioner and it is as a result of the land dispute and differences in the family that the instant F.I.R. has been registered with false and concocted allegations. Even as per the allegation, the injury sustained by Abid Hussain is said to be simple in nature and the petitioner is a lady having no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

It is submitted by learned counsel for the State that there is direct and specific allegation against the petitioner and as such it is not a case for grant of anticipatory bail.

Having heard learned counsel for the parties and taking into consideration the nature of allegations, the nature of the injury sustained by Abid Hussain together with the petitioner being lady having no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of her arrest or surrender in the Court below within a



period of six weeks from today in connection with Thakurganj P.S case no. 134 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

**(Partha Sarthy, J)**

Bibhash/Sumit

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