

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10265 of 2021**

Arising Out of PS. Case No.-129 Year-2005 Thana- JAGDISHPUR District- Bhagalpur

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BEHAN BEGUM @ BIBI ROZY WIFE OF MD. ASHU D/O LATE MD.
NAZZU @ NAZAM RESIDENT OF VILLAGE- PURAINI, P.S. -
JAGDISHPUR, DISTRICT- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha
For the Opposite Party/s : Mr. Khurshid Anwar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 13-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner apprehends his arrest in Jagdishpur
P.S. Case No. 129 of 2005 registered for the offences
punishable under Sections 341, 307 & 379/34 of the Indian
Penal Code and Section 27 of the Arms Act pending in the
Court of learned A.C.J.M.-III, Bhagalpur.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. She has
been falsely implicated in this case due to village rivalries. As a



matter of fact, after marriage the petitioner was living in her Sasural and was not aware of the present case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that it is a case of the year 2005, charge sheet has been submitted against the petitioner showing her absconder and due to non-appearance of the petitioner, the trial of the case has badly hampered. Hence, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case as also the fact that the petitioner is an absconder, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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