

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25371 of 2021

Arising Out of PS. Case No.-269 Year-2020 Thana- KATEYA District- Gopalganj

1. AFSANA KHATOON W/O SARFUDDIN RAI @ SARFUDDIN ALI R/O VILLAGE-RAJAPUR, P.S.-KATEYA, DISTRICT-GOPALGANJ.
2. NATHUNI RAI S/O LATE MOKHTAR RAI R/O VILLAGE-RAJAPUR, P.S.-KATEYA, DISTRICT-GOPALGANJ.
3. MIR HUSSAIN S/O LATE AMIN RAI R/O VILLAGE-RAJAPUR, P.S.-KATEYA, DISTRICT-GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-02-2022 At the very outset, learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application as against petitioners No. 2 and 3.

Permitted to be withdrawn.

It is, thus, dismissed as withdrawn as against petitioners No. 2 and 3.

Learned counsel for the petitioners submits other similarly situated co-accused persons have been granted regular bail.

The prayer of the regular bail of petitioner No. 2 and 3 shall be considered by the court below taking into account that others have been granted regular bail. The Court below shall not



be prejudiced by the fact that they had moved this court for anticipatory bail. Their prayers have been withdrawn without making any argument on merit.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State through video conferencing.

The petitioner apprehends her arrest in connection with Kateya P.S. Case No. 269 of 2020 registered for the offences punishable under Sections 341/323/324/325/307/302/379/506/34 of the Indian Penal Code.

So far as petitioner No. 1 is concerned, she is a lady and there are general and omnibus allegation against her and the entire family has been made accused in this case.

This has become common practice to implicate the ladies of the house also in a criminal case when the male members of the family fight with their neighbours or with someone else for land dispute.

Considering the facts and circumstances, the present anticipatory bail application is allowed.

Accordingly, let the **petitioner No. 1 (Afsana Khatoon)** above named be released on bail, in the event of her arrest or surrender before the court below within a period of ten



weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Kateya P.S. Case No. 269 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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