

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21986 of 2022

Arising Out of PS. Case No.-185 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

1. MD. MUSLIM Son of Late Taslim Mian Resident of Village - Chaupar, P.S. - Bochahan, District - Muzaffarpur.
2. Metun Nisha @ Maitun Khatun @ Maitun Nisha Wife of Md. Nausad Resident of Village - Chaupar, P.S. - Bochahan, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 03-11-2022 By order dated 24.06.2022, the prayer for anticipatory bail of petitioner no. 1 Md. Muslim has already been dismissed as withdrawn.

Heard learned counsel for the petitioner no. 2 and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioner no. 2 apprehends her arrest in a case registered for the offences punishable under Sections 341, 323, 447, 325, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner no. 2 submits that petitioner no. 2 is a person with clean antecedent and is a



woman.

The informant alleges that on account of dispute relating to fencing of *Tatti* Md. Muslim gave order to kill, on which Shamshad caught her husband and Nausad assaulted by an iron 'sabbal' causing injury on his head and the petitioner no. 2 stolen away Rs.40,000/- and jewellery from the house of the informant.

Learned counsel for the petitioner no. 2 submits that petitioner no. 2 has been falsely implicated in the present case. It is next submitted that the petitioner no. 2 being wife of Md. Nausad has been falsely roped with an ornamental allegation of snatching Rs.40,000/- and jewellery from the house of the informant.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner no. 2 but are not able to meet the submission of the learned counsel for the petitioner no. 2 that no allegation of assault is alleged against the petitioner no. 2 and she is wife of Md. Nausad, as such, she has been roped in the present case.

Considering the submissions made by the learned counsel for the petitioner no. 2, the petitioner no. 2 above-named, in the event of her arrest or surrender before the learned



Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bochahan P.S. Case No. 185 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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