

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59917 of 2021

Arising Out of PS. Case No.-293 Year-2021 Thana- KISHANGANJ District- Kishanganj

TANJIRA KHATOON @ TANJARA KHATOON Wife of Late Abdul Gafur
Resident of Village - Chaundi, Ward No.- 12, P.S.- Kishanganj in the district
of Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 504 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is woman and is a person with clean antecedent.

The informant alleges that on 03.06.2021 a dispute
arose between the brothers and this petitioner assaulted the
informant by dabia causing injury on his head as a result of
which he became injured and the accused persons also assaulted
other persons from the side of the informant as detailed in the



FIR.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case as the daughter of the present petitioner has instituted Kishanganj P.S. Case No. 265 of 2021 dated 03.06.2021 in which she has alleged that the present informant and his side assaulted the husband and son of the present petitioner who died subsequently during the course of treatment. Learned counsel, thus, submits that admittedly the son and the husband of the present petitioner were killed on account of assault made by the informant and the accused persons of his side. He next submits that no doubt the occurrence had taken place but the assault was made by the husband and son of the petitioner as the present informant had blocked the ingress and egress from the house as he had parked the tractor on the way. He further submits that the informant realizing that the son and husband of the present petitioner has died, hence, when he got his fardbeyan recorded on 13.06.2021 i.e. ten days after the occurrence he very wisely implicated the present petitioner alleging that it was she who assaulted him on his head by dabia. Learned counsel next submits that no doubt the allegation of assault is against the petitioner but then admittedly the occurrence took place between the brothers on



account of land dispute and it was brothers who fought among themselves and the petitioner came to be falsely implicated so that the informant can coerce her into submission for entering into a compromise.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner 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 Kishanganj P.S. Case No. 293 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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