

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16395 of 2023

Arising Out of PS. Case No.-156 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

1. NAJIR @ MD. NAJIR @ NAJIR NADAF SON OF SAFI NADDAF
RESIDENT OF VILLAGE- HARIPUR BADIYA, PS- GHANSHYAMPUR,
DISTRICT- DARBHANGA, BIHAR
2. MD CHHOTU @ CHHOTE NADAF SON OF NAJIR @ MD NAJIR @
NAJIR NADAF RESIDENT OF VILLAGE- HARIPUR BADIYA, PS-
GHANSHYAMPUR, DISTRICT- DARBHANGA, BIHAR
3. MD ASHLAM @ MD ASHLAM NADAF SON OF NAJIR @ MD NAJIR
@ NAJIR NADAF RESIDENT OF VILLAGE- HARIPUR BADIYA, PS-
GHANSHYAMPUR, DISTRICT- DARBHANGA, BIHAR
4. MD RAHAMTULLA SON OF NAJIR @ MD NAJIR @ NAJIR NADAF
RESIDENT OF VILLAGE- HARIPUR BADIYA, PS- GHANSHYAMPUR,
DISTRICT- DARBHANGA
5. ANISHA KHATOON WIFE OF MD RAHAMTULLA RESIDENT OF
VILLAGE- HARIPUR BADIYA, PS- GHANSHYAMPUR, DISTRICT-
DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2023 Heard the parties.

Learned counsel for the petitioners seek permission to
withdraw this application as against petitioner nos.1 to 4.

Permission is granted.

Accordingly, this application as against the petitioner nos.
1 to 4 is dismissed as withdrawn.

Now, this application is being heard with respect to
petitioner no. 5, namely, Anisha Khatoon only.



The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302 of the Indian Penal Code.

Allegedly, the petitioners alongwith other co-accused persons assaulted the informant and his family members by means of several weapons due to which they got injured. It is alleged that the brother of the informant died during the course of treatment.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as the petitioner no.5 is a lady and there is no specific overt act against her, let the above named petitioner no.5, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Ghanshyampur P.S. Case No.156 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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