

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18221 of 2023**

Arising Out of PS. Case No.-59 Year-2018 Thana- THAKURGANJ District- Kishanganj

Rajiya Khatoon Wife Of Matebul Rahman R/O Village- Dumgarh, P.S.-
Thakurganj, District- Kishanganj

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 05-06-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Thakurganj P.S. Case No. 59 of 2018 registered for the offences punishable under Sections 341, 447, 323, 379, 308, 504/34 of Indian Penal Code. She has no criminal antecedent as stated in paragraph '3' of the application.

Informant in his written report has alleged that on 27.04.2018 at about 10.00 A.M. on account of land dispute petitioner along with 11 other FIR named accused along with weapons came at the house of the informant and assaulted the informant.

Learned counsel for the petitioner submits that petitioner is not named in FIR and she has been allegedly made an accused in course of investigation, her in-laws are said to have been involved in commission of the alleged occurrence.

Learned A.P.P. for the State has opposed the prayer for



anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, wherein this petitioner is not named in FIR and she has been allegedly made an accused in course of investigation of this case only because her in-laws are said to have been involved in commission of the alleged occurrence, this Court, therefore, directs that in case of her arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Thakurganj P.S. Case No. 59 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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