

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42179 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- KHAGARIA RAIL P.S. District- Khagaria

1. Ashiyana Khatoon @ Ashiyana Khatun, Wife Of Md. Bilal Resident Of Village-Hajipur Ward No. 17, Jay Prakash Nagar, Khagaria, P.S.- Khagaria, District- Khagaria.
2. Sartaj Alam @ Md. Sartaj, Son Of Md. Jamil Akhtar @ Md. Jamil Resident Of Village-Hajipur Ward No. 17, Jay Prakash Nagar, Khagaria, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S. D. Sanjay- Sr. Advocate Mr. Parul Prasad
For the State	:	Mr. Bharat Lal
For the Informant	:	Mr. Binod Kumar Mr. Rahul Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2023 The learned senior counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.2, namely, Sartaj Alam @ Md. Sartaj.

Permission is accorded.

Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.2, namely, Sartaj Alam @ Md. Sartaj.

Heard learned senior counsel for the petitioner no.1, learned counsel for the informant and learned APP for the State.



The petitioner no.1 seeks bail in anticipation of her arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379/ 34 of the Indian Penal Code.

The learned senior counsel for the petitioner submits that the petitioner no.1 has antecedent of one case and is a woman. It is next submitted that Md. Bilal is husband of petitioner no.1 and there was a dispute between them on account of which, some maintenance order was granted by a Court of competent jurisdiction and in the said connection, the railway authorities had called petitioner no.1 to the Railways' Office where she had gone accompanied by petitioner no.2, who is her brother along with others. It is next submitted that while they were returning back, it is alleged that in the train, a scuffle took place between the petitioner and Md. Bilal and his father.

It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that no specific allegation is alleged against petitioner no.1, the only allegation against her is that she caught Md. Bilal.

The learned A.P.P. along with learned counsel for the informant opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner no.1, above-named, in



the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate (Railway), Khagaria in connection with Rail Khagaria P. S. Case No.30 of 2023, G.R.(R) No.24 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

