

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47760 of 2023

Arising Out of PS. Case No.-1017 Year-2022 Thana- SASARAM NAGAR District- Rohtas

1. Ashiya Khatoon @ Ashiya Praveen Wife Of Suleman @ Suleman Rain Resident Of Village- Mochi Tola, Ps- Sasaram Nagar, District -ROHTAS
2. Saravary Khatoon Wife Of Rahman Khan Resident Of Village- Mochi Tola, Ps- Sasaram Nagar, District -ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioners apprehends arrest in connection with Sasaram Nagar P.S. Case No. 1017 of 2022 dated 23.11.2022, instituted for the offence punishable under Sections 341, 323, 307, 379, 427, 504, 34 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant was at home with her husband in the meanwhile the husband of her Nanad namely, Abdul Rahman Khan came and started abusing the informant and demanded four thousand rupees for making house failing which the belonging of the informant will be thrown out of the house. When the informant protested, the



two petitioners with other named accused person started throwing the belonging of the informant on the roof of the house and on the objection of the informant and her husband, it is alleged that Abdul Rahman gave a knife blow on the head of the informant, causing cut injury and Suleman Khan assaulted the husband of the informant on his head, and petitioner no. 2, namely, Sarvari Khatoon took five thousand rupees and a mobile kept on the palang.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they are falsely implicated in this case. It is further submitted that petitioner no. 1 is *Gotani* of informant and petitioner no. 2 is *Nanad* of the informant. It is further submitted that there is no specific allegation of assault by the petitioners. The informant and her husband received injury but all injuries are simple in nature caused by hard and blunt substance. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of



six weeks from today, in connection with Sasaram Nagar P.S. Case No. 1017 of 2022 they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sasaram, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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