

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11348 of 2024

Arising Out of PS. Case No.-595 Year-2022 Thana- BAHERA District- Darbhanga

JARINA KHATOON W/o Abdul Barik Resident of Village-Badarbana, Police
Station-Bahera, District-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner, the State as
also the informant.

2. The petitioner is apprehending arrest in connection
with Bahera P.S. Case No. 595/2022 instituted under Sections
341, 323, 307, 379, 147, 148, 149 and 427 of the Indian Penal
Code and later section 302 of the Indian Penal Code was added
lodged on 18.11.2022 by the informant, Md. Samiulah.

3. As per the prosecution story, the informant (now
deceased) was brutally assaulted by the family members of the
petitioner herein which resulted into his death.

4. Learned counsel for the petitioner submits that a
bare perusal of the FIR would show that entire family members
have been roped in which included this petitioner who is a lady
and is 56 years old.



5. In that background, though others have been denied the privilege of anticipatory bail, her case be considered.

6. Learned counsel for the informant on the other hand opposes the prayer stating that the FIR is of the year 2022, belatedly she has preferred the anticipatory bail application and in the meantime, the police has submitted the charge-sheet showing her as an absconder. He further submits that she has criminal antecedent.

7. In that background, the anticipatory bail application cannot be extended to her.

8. Learned APP also opposed the submission put forward by the learned counsel for the petitioner.

9. Learned counsel appearing on behalf of the petitioner submits that all the cases which have been incorporated in para-3 has been lodged by the informant's family members and it is personal animosity between the families that has resulted into cases and counter cases.

10. The petitioner is an aged lady, going by the FIR, it seems that though roles have been assigned, as per the learned counsel for the petitioner she has been deliberately assigned role only to implicate her, however, in view of the fact that charge-sheet has been submitted showing her as an absconder, the



hands of this Court is tied. In that background, the anticipatory bail stands rejected.

11. However, if the petitioner surrenders within four weeks from today, the Court concerned shall take up the same and dispose it of on the same day while considering the fact that she is a lady.

(Rajiv Roy, J)

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