

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20352 of 2024

Arising Out of PS. Case No.-171 Year-2023 Thana- KATHAIYA District- Muzaffarpur

1. Shahjahan Khatoon, Aged about 34 years, Female, Wife Of Late Md. Jamal, Resident Of Ward No. 25, Saguna Mor, P.S.- Danapur, District- Patna, Bihar
2. Reshama Praveen @ Rashma Parween, Aged about 19 years, Female, Wife Of Wasibul Rahaman, Resident Of Village- Thengpur, Bahdinpur, P.S.- Paroo, District- Muzaffarpur, Bihar
3. Bebi Khatoon @ Baby Khatoon, Aged about 23 years, Female, Wife Of Taj Babu, Resident Of Village- Thengpur, Bahdinpur, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 22-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kathaiya P.S. Case No. 171 of 2023 instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 447, 504, 506, 302 of the Indian Penal Code.

3. As per F.I.R., the allegation against the petitioners and other accused persons is to have assaulted the informant and her mother badly by means of lathi-danda and weapons as a



result of which her mother died on the spot.

4. It is submitted by learned counsel for the petitioners that petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to previous enmity. There is no specific overt-act has been attributed to the petitioners. The general and omnibus allegations have been levelled against the petitioners. Petitioners have got no criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order dated 24.01.2024, case diary and postmortem report, it appears that on the basis of written report of the informant Shabana Khatoon, the F.I.R. registered against five accused persons including the present three petitioners. The allegation against the petitioners is specific and as per postmortem report, deceased died due to hemorrhage and shock due to injuries caused by hard and blunt substance. During investigation, witnesses have also supported the facts of the case and involvement of petitioners in crime. The allegations levelled against the petitioners are grave and serious in nature.

7. Considering the facts and circumstances of the case



and seriousness of allegation, I am not inclined to grant anticipatory bail to the petitioners.

8. Accordingly, prayer for anticipatory bail of the petitioners is hereby rejected.

(Ramesh Chand Malviya, J)

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