

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43278 of 2024

Arising Out of PS. Case No.-62 Year-2020 Thana- BIRAUL District- Darbhanga

Kismatun Nisha W/o Sami Ahmad Khan R/o vill - Ahilwara, P.S. - Biraul,
Distt. - Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 506, 509/34 of the Indian Penal Code.

3. Prosecution case, in brief, is that on 25.2.2020 at about 8 AM, agnates of the informant were constructing window platform encroaching over her land and when informant objected, then all the F.I.R. named accused persons started abusing her and her husband and assaulted them by means of iron rod and *farsa* due to which informant sustained fracture on her left leg. It is further alleged that the accused persons also snatched away gold chain of informant.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to



admitted dispute over construction of window platform. Case and counter case. Doctor has found the injury simple in nature. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Hon'ble Court *vide* order dated 29.04.2024 passed in Cr. Misc. No. 22986 of 2024. Petitioner is a lady and claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of her arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of SDJM, Biraul, Darbhanga in connection with Biraul P. S. Case No. 62 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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