

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44064 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- GHORASAHAN District- East
Champaran

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1. Hasan Khatoon, female, aged about 61 years, wife of Jahur Dewan @ Jahir Devan,
 2. Fatma Khatoon, female, aged about 45 years, wife of Akbar Mian,
Both resident of Village- Kotwa,P.S.- Ghorasahan,Distt- East Champaran at
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Ghorasahan PS Case No.104 of 2024 dated 27.02.2024,
instituted under Sections 427, 341, 323, 353, 337, 338, 307,
352/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on the alleged
date of occurrence some police personnel came from Kangra,
Himachal Pradesh, to arrest one Aslam Dewan in connection
with Dharmshala PS Case No. 22 of 2024. The informant, who
is the ASI of Ghorasahan PS, raided the house of Aslam Dewan
and arrested him. The police personnel were obstructed by some



miscreants, who attempted to set free Aslam Dewan and they pelted stones on the police party causing injuries to them. The local *chaukidar* identified the miscreants.

4. Learned counsel for the petitioners submits that petitioner no. 1 happens to be the mother of Aslam Dewan, whereas, petitioner no. 2 happens to be the sister-in-law (*Bhabhi*) of Aslam Dewan. There is no specific allegation against the petitioners, rather, the allegations are general and omnibus. It is further submitted that the petitioners are ladies and merely on account of their relationship with Aslam Dewan, they were enquiring about his arrest and were informed about the same. Entire allegation against the petitioners is false and concocted. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on 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 Additional Chief Judicial Magistrate-III, East Champaran



at Motihari, in Ghorasahan PS Case No.104 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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