

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63936 of 2024

Arising Out of PS. Case No.-267 Year-2020 Thana- LAKHNAUR District- Madhubani

1. Sutiya Khatoon @ Suriya Khatoon Wife of Bali Mohammad Village- Deep West Tola, P.S.- Lakhnaur RSOP, District- Madhubani
2. Rubeda Khatoon Wife of Md. Juber Village- Deep West Tola, P.S.- Lakhnaur RSOP, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti
For the Opposite Party/s : Mr. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-10-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Lakhnaur (RSOP) Police Station Case No. 267 of 2020, disclosing offences under Sections 447, 448, 341, 323, 324, 308, 504, 506, 34 of the Indian Penal Code.

3. As per the First Information Report, due to previous enmity, on 31.10.2020, the accused persons, including the petitioners, entered into the courtyard of the informant having various weapons in their hands, abused her and when the informant objected, co-accused Sahid assaulted her by farsa on the head and co-accused Juber assaulted the informant by means



of iron rod on her head. It has further been alleged that other accused persons assaulted by means of lathi, danda, fist and legs.

4. Learned Counsel for the petitioners submits that the petitioners are female and are wives of co-accused Juber Mohammad and his family member. There is no specific allegation of assault against the petitioners and the police, during course of investigation granted privilege of Section 41A Cr.P.C. to the petitioners who co-operated the police during course of the investigation, however, the police submitted charge-sheet against petitioner and others and the learned Magistrate has taken cognizance of the offences and has issued summons, accordingly, the petitioners are having apprehension of arrest.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is no specific allegation of assault against the petitioners, they are female and further they co-operated in the investigation after being given the advantage of Section 41A Cr.P.C., I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of



their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani, in connection with Lakhnaur (RSOP) Police Station Case No. 267 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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