

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70251 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- RAHIKA District- Madhubani

1. Abdul Aadil S/O Abdul Kadir R/O Village- Kharaua, P.S- Rahika, Distt.- Madhubani.
2. Abdul Amir S/O Abdul Kadir R/O Village- Kharaua, P.S- Rahika, Distt.- Madhubani.
3. Saliya Khatoon W/O Abdul Kadir R/O Village- Kharaua, P.S- Rahika, Distt.- Madhubani.
4. Md. Rajik S/O Md. Tamanna R/O Village- Kharaua, P.S- Rahika, Distt.- Madhubani.
5. Sagupta Khatoon @ Sagufta Khatoon W/O Md. Rajik R/O Village- Kharaua, P.S- Rahika, Distt.- Madhubani.
6. Saiyama Khatoon @ Saima Praveen W/O Tavrez R/O Village- Kharaua, P.S- Rahika, Distt.- Madhubani.
7. Md. Tanvir @ Tanvir S/O Md. Shahid R/O Village- Mangrauni, P.S- Rajnagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mrs. Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners apprehends their arrest in connection
with Rahika P.S. Case No. 183 of 2022, registered for the offences
punishable under Sections 323, 325, 341, 504, 506, 149, 379, 313
of the Indian Penal Code.

3. As per allegation, when the victim was cooking food



in her courtyard, the petitioners along with other co-accused persons entered into her house and started abusing and assaulting her by means of *lathi-danda*, fists and slaps with an intention to kill her. As the victim lady was pregnant at that time, due to such assault the pregnancy got aborted.

4. Learned counsel for the petitioners submitted that allegation against the petitioners are general and omnibus in nature. They have falsely been implicated in this case. The specific allegation to assault the victim on hand is on Abdul Quadir, who is not a petitioner in the present application. Learned counsel further submits that the entire family members of the petitioners including the lady members also have been implicated.

5. Learned APP, Shri J.N. Thakur assisted by the learned counsel for the informant has submitted that all the accused persons entered into the house of the victim and they attacked the lady who was alone in her house and due to the assault made by the accused persons her pregnancy was terminated. Learned counsel further submits that the FIR shows itself that the accused persons were making pressure on the informant to withdraw earlier case registered in Rahika P.S. Case No. 150 of 2022. The injury suffered by the victim lady are grievous in nature.

6. It appears that the victim lady when she was alone in her house, all the accused person entered into her house and badly



assaulted her, resulting into grievous injuries including the termination of her premature pregnancy. Not only that they were making pressure on her to withdraw earlier case.

7. Considering the above-mentioned facts and circumstances and the fact that the petitioner nos. 3, 5 and 6 are ladies, **let the petitioners nos. 3, 5 and 6**, in the event of their arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-IV, Madhubani in connection with Rahika P.S. Case No. 183 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

8. So far as, petitioner nos. 1, 2, 4 and 7 are concerned, they do not deserve the privilege for Anticipatory Bail. Accordingly, this bail application as against **petitioner nos. 1, 2, 4 and 7** stands rejected.

(Nawneet Kumar Pandey, J)

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