

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82270 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- BAIRGACHHAI District- Araria

Bibi Eram @ Irm @ Iram @ Aram W/o- Monu Resident of village- Manikpur
ward no- 9, Police station- Baigachhi District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with
Baigachhi P.S. Case No. 36 of 2024 registered for the offences
punishable under Section 302/ 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including
the petitioner are said to have assaulted the informant's side
brutally by means of deadly weapons due to which they have
sustained injuries and the father of the informant has succumbed
to death.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
No such occurrence as alleged has ever taken place. She has
falsely been implicated in this case due to ulterior motive. The



allegation levelled against the petitioner is totally false and based on concocted facts. There is no specific overt act against the petitioner. She is newly wedded lady. The informant is not an eye witness to the alleged occurrence. In the alleged free fight, both sides have sustained injuries. Though there is serious allegation against the petitioner and others to assault the informant's father brutally due to which he died, but it is highly improbable to decide the author of the alleged injury sustained by the deceased. It is further submitted that the present case has been filed by the informant in order to grab the land of one Masomat Khaituniya, sister of co-accused Asahab. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in



accordance with law without being prejudiced by this order
considering the fact that petitioner is a newly wedded lady.

(Anjani Kumar Sharan, J)

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