

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3692 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- Bhimnagar District- Supaul

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Bibi Saira Khatoon @ Saira Khatoon Wife of Sadrul Ansari Resident of
Village - Lalpur, Ward No. 15, P.S. - Bhimnagar, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-01-2025 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner apprehends her arrest in connection with Bhimnagar P.S. Case No. 05 of 2024, registered for the offences punishable under Sections 341, 323, 342, 307, 379, 448, 504 and 506/34 of the Indian Penal Code. However, later on, the injured died during the course of treatment and thus Section 302 of the Indian Penal Code, is also added.

3. Based upon the written report, the prosecution alleges that on the fateful day, at about 07:00 AM in the morning, all the FIR named accused persons armed with lathi, danda and other deadly weapons came there. On the exhortation made by the co-accused Sadrul Ansari, co-accused Asdul Ansari



has given dagger blow in the stomach of Naushad Ansari, due to which he sustained grievous injury. It is further alleged that the petitioner, who was also accompanying the accused persons, in the meantime, taken away 20 kg of rice, which was kept in the courtyard.

4. Learned Advocate for the petitioner contended that in fact on account of family feud, the occurrence took place, wherein unfortunate incidence has taken place. The petitioner is none else but the daughter-in-law of the informant. Even if the narrations made in the FIR is taken to be true, there is no allegation of any overt act against the petitioner. Moreover, the petitioner is a lady and she undertakes that she will fully co-operate in the proceeding of the Court. So far the allegation of causing dagger blow is concerned, the same has been attributed to Asdul Ansari.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioner has actively participated in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that there is no allegation of any overt act against the petitioner, coupled with the fact that the petitioner is a lady, having fair antecedent and



the dispute has arisen on account of a family feud, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Birpur, Supaul in connection with Bhimnagar P.S. Case No. 05 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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