

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5068 of 2025

Arising Out of PS. Case No.-433 Year-2024 Thana- AMARPUR District- Banka

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1. Rehana Wife of Md. Sahabuddin @ Sahabuddin Resident of Village - Subhanpur, P.S. - Amarpur, District - Banka
 2. Rabina Daughter of Md. Sahabuddin @ Sahabuddin Resident of Village - Subhanpur, P.S. - Amarpur, District - Banka
 3. Md. Sahabuddin @ Sahabuddin Son of Late Md. Chedi Resident of Village - Subhanpur, P.S. - Amarpur, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raushan Kumar, Advocate
	:	Mr. Praveen Kumar, Advocate
For the State	:	Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-05-2025 Heard Mr. Raushan Kumar, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioners are apprehending their arrest in connection with Amarpur P.S. Case No. 433 of 2024 for the offence under Sections 328 and 34 of the Indian Penal Code, lodged on 29.06.2024 by the informant, Saina.

3. As per the prosecution story, the informant alleged that while her husband was outside for work, the in-laws abused/assaulted and put rat killing medicine in her mouth, as a result, she became unconscious. The elder brother-in-law came and rushed her to Jawaharlal Nehru Medical College and



Hospital, Bhagalpur where treatment took place. This led to the F.I.R.

4. Learned counsel for the petitioners submit that no medical report is on record, actually the lady expecting it as a medicine, consumed, became unconscious, taken to the hospital but later lodged the F.I.R. after eleven days delay and it was ultimately registered after two months. They are all family members and later realizing the mistake, she has also put in her signature to this effect.

5. Learned APP opposes the prayer for bail submitting that the in-laws tried to kill her.

6. Considering the submissions of the parties as also the fact that she was immediately rushed to the hospital, for timely treatment, she was saved none of the petitioners have criminal antecedent, two of them are female, the lady is still residing with the in-laws, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in



connection with Amarpur P.S. Case No. 433 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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