

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11235 of 2025

Arising Out of PS. Case No.-4 Year-2016 Thana- JAMUI District- Jamui

Raziya Khatoon @ Raazi Kumari Daughter of Panchu Mian @ Pancho Miya
Resident of Village - Kakan, P.S. - Jamui, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard Mr. Amrendra Kumar, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending her arrest in connection with Jamui P.S. Case No. 04 of 2016 for the offence under sections 366(A) of the IPC lodged on 03.01.2016 by the informant, Suresh Mahto.

3. As per the prosecution story, the informant alleged that his daughter was taken away by Jiyaul Mian and Munna Mian. The allegation is that this petitioner is own sister, was also part of the said conspiracy. This led to the FIR.

4. Learned counsel for the petitioner submits that the victim was in relationship with her brother, she made a statement before that she had gone with Jiyaul Mian on her own



and, in that background, as nothing has been alleged against the petitioner, she deserves relief.

5. Learned APP opposes the prayer submitting that though it is the fact that the victim has not made any allegation against the petitioner, her anticipatory was rejected in the year 2016, instead of approaching the High Court and seek relief, she waited for nine years and then again approached the learned Sessions Court which rightly rejected the same.

6. He submits that the statement of the victim girl is on record, as the Co-ordinate Bench had called for the case diary, it however shows that no role has been assigned to the petitioner. But again, the fact remains that she delayed coming to the court for long years.

7. Learned counsel for the petitioner submits that subsequently, the lady petitioner got married, is presently at her in-laws house and the outcome of the present anticipatory bail petition may affect her marital status and it was this fear which delayed her coming to the Court. The submission however is that if granted relief, she assures to appear in the Court regularly during the trial.

8. Considering the aforesaid facts, though she definitely has delayed the trial, the victim has not attributed any



allegation to her, she is a lady having no criminal antecedent and is now happily married with two kids, as informed, taking into account her apprehension regarding marital status and an undertaking has been given that she shall be diligently appearing in the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

9. 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) with two sureties of like amount each to the satisfaction of learned C.J.M., Jamui, in connection with Jamui P.S. Case No.04 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 petitioner 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 his bail bond by the Trial Court itself;

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

(Rajiv Roy, J)

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