

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19025 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- BANJARIA District- East Champaran

1. Nur Jahan, Wife Of Late Rahman Ansari, Resident Of Village/Mohalla-Gokhula Bazar, P.S.- Banjariya, Distt.- East Champaran
2. Nurun Nesha Wife Of Bajul Ansari, Resident Of Village/Mohalla- Gokhula Bazar, P.S.- Banjariya, Distt.- East Champaran
3. Jarina Khatoon, Wife Of Merajul Ansari, Resident Of Village/Mohalla-Gokhula Bazar, P.S.- Banjariya, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nagma Khatoon, Wife Of Faiyajul Hak Ansari, Resident Of Village/Mohalla- Gokhula Bazar, P.S.- Banjariya, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Banjariya P.S. Case No. 354 of 2024 dated 17.11.2024 instituted for the offence punishable under Sections 85, 109, 115(2), 118(1), 126(2), 303(2), 3(5) of the Bhartiyay Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the informant was married with co-accused, Fiayajul Haque Ansari about eight years ago and after the marriage, her husband along with his family members including the petitioners demanded Rs.



5,00,000/- and 10 dhurs land as dowry and also committed cruelty with the informant. It is alleged that on 02.09.2024, the informant's husband and his family members had assaulted the informant for which the informant had lodged Banjariya P.S. Case No. 228 of 2024 against them. It is further alleged that on 15.11.2024, the petitioners along with other accused persons entered in the room of the informant and on the order of petitioner no. 1, her husband caught the hair of the informant and started hitting her head with wall, due to which she sustained injury on her mouth and other accused persons assaulted her with *Belan* and *Danda*. It is alleged that petitioner no. 2 snatched the informant's gold earrings.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner no. 1 is the mother-in-law of the informant, petitioner no.2 is the wife of elder brother of the informant's husband and petitioner no. 3 is the sister of informant's husband. Learned counsel for the petitioners submits that there is specific allegation against the husband of the informant that he assaulted the informant. There is no specific allegation of assault against the petitioners. It is further submitted that a false case has been lodged by the



informant only to harass the family members of the petitioners. Lastly, it has been submitted that petitioners have one criminal case against them which was lodged by the informant earlier.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Banjariya P.S. Case No. 354 of 2024, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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