

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30401 of 2025

Arising Out of PS. Case No.-322 Year-2024 Thana- Arwal District- Arwal

Reshma Khatoon @ Lako Khatoon @ Pako Khatoon D/o Late Md. Suleman
Resident of- Rahmat Nagar, Zero Mile, Gulabbagh, P.S.- Sadar, District-
Purnea. At present Janakpur Dham, P.S.- Arwal, P.O. - Arwal, Distt.- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza, Sr. Advocate
Mr. Hasnain Haider, Advocate
For the Opposite Party/s : Mr. Jagadhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2025 Heard learned Sr. Counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection
with Arwal P.S. Case No. 322 of 2024 registered on 14.08.2024
for the offenses punishable under Sections 303(2), 115(2) and
109 of B.N.S..

3. As per the prosecution, the informant's husband
was allegedly involved in an illicit relationship with the
petitioner. It is stated that on 08.08.2024, the informant's
husband left the house after having a meal but did not return
thereafter. During the search, the informant came to know that
her husband had left the house with an amount of ₹5,00,000.
Subsequently, the petitioner allegedly called the informant on



her mobile phone and informed her that her husband had been admitted to a hospital. Upon receiving this information, the informant went to the hospital, where she found her husband in the ICU ward in a critical condition. When she inquired with the attending doctor, she was informed that her husband had been assaulted. The informant also noticed that the money was not in his possession, which led her to suspect that the petitioner had assaulted her husband in order to take the money.

4. Learned Sr. counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has a clean antecedent. It is further submitted that from a bare perusal of the contents of the F.I.R., it is evident that the petitioner had only informed the informant about her husband's illness on 08.08.2024 at around 1:00 A.M., following which the informant reached the hospital and found her husband admitted in the ICU. The present F.I.R. was lodged much later, on 14.08.2024. Until the filing of the F.I.R., there was no information regarding the death of the informant's husband. There is no direct allegation against the petitioner of causing any injury to the informant's husband. The entire case appears to be based on mere suspicion, without any injury report or post-mortem report brought on record. It is further submitted that



during the course of investigation, no incriminating material has surfaced against the petitioner.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that the petitioner was the last person seen with the deceased. It is further submitted that the dead body of the informant’s husband was found in the hospital, and the cause of death has been attributed to a head injury.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Arwal P.S. Case No. 322 of 2024, pending before the learned CJM, Arwal is hereby rejected.

(Dr. Anshuman, J)

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