

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31834 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- JAMOBABAZAR District- Siwan

Pakiza Khatoon @ Pakiza Saheen @ Gudia D/o Serajul Haque, W/o Babar
Hussain Resident of Village- Sareyan, P.S.- Hussainganj, Distt.- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-05-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends her arrest in connection with Jamo Bazar P.S. Case No. 65 of 2025, registered for the offences punishable under Sections 126(2), 127(2), 115(2), 118, 109, 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. Allegedly on the fateful day, while the informant had gone to the market, in the meanwhile, all the FIR named accused persons surrounded him and brutally assaulted by means of lathi, danda, fist and slap. It is specifically alleged that the petitioner assaulted the informant over his head by means of axe, due to which he sustained severe injury.

4. Learned Advocate for the petitioner taking this Court through the Annexure-P/3 has contended that the present



FIR came to be lodged on the premise of enmity between the parties. In fact in the morning of the fateful day, the informant with the help of others, forcibly detained the son of the petitioner and when the same had come to the knowledge of the petitioner and others, they rushed to the house of the informant along with other villagers and thereafter, the informant and others were seriously rebuked and their act was condemned. In fact, it is the informant and others, who assaulted the petitioner and her family members, however only in order to save themselves, the present case came to be lodged. It is further contended that so far the injury sustained to the informant, allegedly attributed to the petitioner, the same has been found to be simple in nature caused by hard and blunt substance, which also falsifies the prosecution case. It is lastly contended that the petitioner is a lady and she undertakes that she will fully co-operate in the investigation and in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that because of the assault caused by the petitioner, the informant sustained serious injury, as is evident from the impugned order.

6. Regard being had to the submissions made on



behalf of the parties and considering the factum of case and counter case and the long standing dispute between the parties as also the nature of injury and the fact that the petitioner is a lady, 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 Judicial Magistrate-I, Siwan in connection with Jamo Bazar P.S. Case No. 65 of 2025, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 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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