

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39953 of 2025

Arising Out of PS. Case No.-764 Year-2024 Thana- BASANTPUR District- Siwan

1. Rajiya Begum W/O Khedan @ Yehtesham @ Ehtesham Ahmad R/O Village- Jalalpur, P.S.- Lakri Naviganj, District- Siwan.
2. Munni @ Juhi Khatoon @ Shgufta Parvin @ Muni D/O Khedan @ Aitesham @ Ehtesham Ahmad R/O Village- Jalalpur, P.S.- Lakri Naviganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2025 Heard Mr. Javed Aslam, learned counsel for the petitioners and Mr. Nagendra Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Basantpur (Lakri Naviganj) P.S. Case No. 764 of 2024, F.I.R. dated 03.12.2024 for the offences punishable under Sections 103 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, both these petitioners along with other accused persons encircled the husband of the informant over a petty dispute. Co-accused, Kamran gave knife blow on chest of the husband of the



informant resulting into his death.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that petitioner no. 1 is the wife of the co-accused Khedan and petitioner no. 2 is the daughter of the co-accused Khedan. He further submits that although the petitioners are named in the F.I.R, but there is no specific allegation of assault against these petitioners rather the specific allegation is against the co-accused, Kamran who gave knife blow on the chest of the husband of the informant.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R. Apart from that the anticipatory bail application of the co-accused, namely, Khedan @ Yetesham @ Yegteshan Ahmad has been rejected by a Co-ordinate Bench of this Court vide order dated 16.04.2025 passed in Cr. Misc. No. 19298 of 2025.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and there is no specific allegation of assault against them rather the same is on the co-accused, Kamran, let the petitioners, above named, in the



event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st , Siwan in connection with Basantpur (Lakri Naviganj) P.S. Case No. 764 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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