

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44147 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- SIKTI District- Araria

-
1. Bibi Gulbano @ Gulbano W/O Asif @ Md. Asif R/O Village- Saidabad Ward No. 12, P.S- Sikti, Distt.- Araria, Bihar.
 2. Bibi Robani @ Robina Khatun W/O Alam @ Md. Alam R/O Village- Saidabad Ward No. 12, P.S- Sikti, Distt.- Araria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Alka Singh

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 106(2), 109(2) of the B.N.S., 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are women and the informant alleges that Bibi Khatoon caller her husband on his mobile from mobile no. 9942531495 and asked him to come to her house, accordingly, her husband went to the house of the accused persons, where five named women accused were waiting, further all the accused assaulted her husband and



pressed his neck causing injury, on account of which, he became unconscious and thereafter he was taken to hospital, from where, he was referred to Viratnagar (Nepal) for better treatment.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eyewitness to the occurrence nor the FIR even remotely suggests that husband of the informant disclosed about the occurrence to the informant. It is next submitted that the date of occurrence is 30.10.2024 and the FIR came to be instituted on 05.11.2024, based on a written application of the informant. It is also submitted that husband of the informant died during the course of treatment on 10.11.2024. It is thus submitted that the FIR was instituted five days after the occurrence but still the informant in the FIR does not disclose that on what basis, it is alleged that it were the accused persons, who had committed the occurrence. It is also submitted that it does not appear probable that female members of the family could have assaulted and pressed the neck of the husband of the informant. It is submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that the postmortem report also records that the husband of the informant died on account of assault on head and brain.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Sikti P.S. Case No.165/2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

8. It is further made clear that if charge sheet is submitted connecting the petitioners with the offence, in that



event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

