

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41845 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- MADHAURAH District- Saran

1. Razyia Khatoon W/o- Md. Mumtaj Village- Dharmpur Pasuram Ps- Marhowrah Dist- Saran
2. Sabrun Nisha @ Sabru Nisha W/o- Md. Mobin Village- Dharmpur Pasuram Ps- Marhowrah Dist- Saran
3. Md. Rizwan @ Guddu S/o- Md. Salauddin Village- Dharmpur Pasuram Ps- Marhowrah Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-07-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Marhowarah P.S. Case No. 248 of 2025 for the offence registered under Sections 126(2), 115(2), 118(1), 109, 352, 251(2), 303(2), 3(5) of the BNS lodged on 18.04.2025 by the informant Md. Hanif.

3. As per the prosecution story, the informant alleged that the accused persons with unknown came to his house and firstly abused and then assaulted. As he raised alarm, his three sons came to rescue, Md. Mumtaz and Md. Rizwan assaulted them with sword causing injuries to all three sons. The further



allegation is of snatching some amount and gold/silver ornaments. This led to the FIR.

4. Learned counsel for the petitioners submits that two of them are ladies and no role attributed to them, though allegation against the petitioner no. 3 is there, the report shows that injuries are found to be simple in nature.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that CT Scan report was awaited and the other injuries were found to be simple in nature.

6. Considering the submissions of the parties as also the nature of allegation that has come against petitioner no. 3, Md. Rizwan @ Guddu, his anticipatory bail is rejected

7. So far as petitioner nos. 1 and 2 Razyia Khatoon and Sabrun Nisha @ Sabru Nisha are concerned, though name is there, no role has been attributed to them, both are ladies having no criminal antecedent, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

8. Let the petitioner nos. 1 and 2 in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two



sureties of the like amount each to the satisfaction of the learned C.J.M., Saran, Chapra in connection with Marhowrah P.S. Case No. 248 of 2025 subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show is *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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