

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48884 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- ASANWA District- Siwan

Amina Begam Wife of Subhan Miya Resident of village -Arakpur Ps -Asanw
District -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar
For the State : Mr.Lalan Kumar
For the informant : Mr. Prashant Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-08-2025 1. Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Asanwa Police Station Case No. 59 of 2025, dated 27.04.2025, disclosing offences punishable under Sections 103/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on the orders of the petitioner, the sons of the petitioner assaulted the husband of the informant. It has been alleged that the elder son of the petitioner assaulted the husband of the deceased by means of iron rod on his leg and head. The husband of the informant, later on died



in the hospital.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case for ulterior motive. He further submits that the petitioner was not present at the place of occurrence and she was not aware about the alleged occurrence. He further submits that the petitioner is a handicapped lady and produced before this Court the disability certificate. He further submits that the specific allegation of assault is upon co-accused, Akhtar Ali (son of the petitioner) and not against the petitioner.
5. On the other hand, learned Counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that it is the petitioner on whose instigation her son has assaulted the husband of the deceased, due to which he, later on, died.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner, being a handicapped lady, has been projected as order giver only and the specific allegation of assault is upon co-accused, Akhtar Ali, I am inclined to grant the petitioner privilege of anticipatory bail.



7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Siwan, in connection with Asanwa Police Station Case No. 59 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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