

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49693 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- KAUWAKOL District- Nawada

1. Nagma Praveen Wife of Md. Sahabuddin village- Bijho, Ps- Kawakole, Dist- Nawada
2. Md. Sahabuddin son of Md. Israyal Miyan village- Bijho, Ps- Kawakole, Dist- Nawada
3. Md. Saddam Hussain @ Saddam Hussain son of Md. Allauddin @ Allauddin village- tola Konipar, Ps- Kawakole, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Ms.Rita Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 318(4), 319(2), 338, 336(3), 126(2), 115(2), 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita.

3. It is alleged that petitioner no. 2 (Md. Shahabuddin), who is son of informant, sold the land in question in favour of his wife Nagma Praveen (petitioner no. 1) and on protest, accused/petitioners abused and assaulted informant and also threatened her to leave the house.



4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Petitioner no. 1 is daughter-in-law and petitioner no. 2 is son of informant, whereas petitioner no. 3 is witness to the sale-deed. As a matter of fact, informant has two sons, one Md. Shahabuddin (petitioner no. 2) and another is Md. Samsad Alam and during life time of husband of informant, one land, bearing Khata No. 444, Kheshra 5536 area 9.5 decimal, was sold to Md. Samsad Alam (elder son) and informant's husband executed a deed of will of the land in favour of his second son namely Md. Shahabuddin (petitioner no. 2). Copy of sale-deed and will is annexed as Annexure P/2 to the bail petition. Learned counsel further submits that informant has already filed a partition suit against her family members including petitioner no. 2, vide Partition Suit No. 353/2024, which is pending before the Court below. Moreover, the dispute is purely of civil nature.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - V, Nawada in connection with Kawakole P.S. Case No. 71 of 2025, subject to condition as laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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