

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57881 of 2025

Arising Out of PS. Case No.-854 Year-2024 Thana- COMPLAINT CASE District- Supaul

1. Ayesha Khatoon W/O Md. Taahir R/O Village- Khoont, Panchayat- Kauriyapatti, P.S- Jadia, Distt.- Supaul.
2. Bibi Rukshana @ Ruksana @ Bibi Ruksana Khatoon W/O Md. Harshaad @ Md. Irshad R/O Village- Khoont, Panchayat- Kauriyapatti, P.S- Jadia, Distt.- Supaul.
3. Md. Tahir S/O Md. Ahmad R/O Village- Khoont, Panchayat- Kauriyapatti, P.S- Jadia, Distt.- Supaul.
4. Saweena Khatoon W/O Md. Salman R/O Village- Khoont, Panchayat- Kauriyapatti, P.S- Jadia, Distt.- Supaul.
5. Md. Irshad @ Irshad S/O Md. Tahir R/O Village- Khoont, Panchayat- Kauriyapatti, P.S- Jadia, Distt.- Supaul.
6. Bibi Sahnaaz Khatoon @ Sahnaaz Khatoon W/O Md. Sharif R/O Village- Maheshpur, P.S- Pipra, Distt.- Supaul.
7. Md. Sharif @ Sharif S/O Mansoori R/O Village- Maheshpur, P.S- Pipra, Distt.- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Bibi Rubeida Khatoon W/O Md. Rahamtulla R/O Village- Naunpar, Ward No.-13, P.S- Bhapatiyahi, Distt.- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat
For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 10-12-2025 Heard the learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 854(c) of 2024, dated 09.08.2024 registered for the offences under Sections 76, 305, 352, 3(5) BNS, 2023 (corresponding to section 354B, 380, 504, 34 IPC) Bharatiya Nyaya Sanhita, 2023.



3. According to prosecution case, in Complaint Case No. 854/2024 filed before the Chief Judicial Magistrate, Supaul, complainant Rubeida Khatoon alleged that she had a quarrel with her daughter-in-law, Saweena Khatoon (Petitioner No. 4), after advising her not to visit her parental home. Angered, Saweena allegedly packed her belongings and called her relatives (the other accused persons). According to the complaint, all the accused then came to the complainant's house, assaulted her, robbed various ornaments and grains, and also outraged her modesty. The case was registered under Sections 61(2), 127(2), 303(2), 305, 76, 333, 354(4)(5), 309(6), 352, 351(2)(3), and 3(5) of the BNS.

4. Learned counsel for the petitioners submits that entire prosecution case is false and no such occurrence is said to have been taken. While allegations against all these petitioners are general and omnibus which is said to have been lodged by the complainant by filing complaint case in which cognizance is said to have been taken. It has next been submitted that the present complaint case is a counter blast filed by the petitioner no. 4 – Saweena Khatoon by complaint case no. 744 of 2024 dated 15.07.2024 against her husband Md. Salman, Rubeida Khatoon (mother-in-law), Md. Rahamtullah (father-in-law) and other relatives of the husband for doing cruelty to her and having driven her out from matrimonial house after snatching



all *stridhan*. In the said case, the cognizance has been taken after filing of the present complainant case in which the petitioners are seeking for privilege of anticipatory bail. This court vide order dated 27.08.2025 issued notice to opposite party no. 2 who has entered appearance through his/her counsel, who on being confronted does not dispute the fact that allegations are general and omnibus and still opposes the prayer for bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that there is a case and counter case and the present case is said to have been lodged and in the present complaint case, the petitioners are seeking privilege of anticipatory bail, which is said to be a counter blast to the earlier complaint case no. 744 of 2024. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their 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) with two sureties of the like amount each to the satisfaction of the learned J.M. 2nd Class, Supaul in connection with Complaint Case No. 854(c) 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) one of the bailors should be the family
member/relative of the petitioner(s) who shall provide official
document to show his/her bona fide;

(ii) the petitioner(s) 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 his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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 petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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