

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52799 of 2025

Arising Out of PS. Case No.-43 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

Sabana Khatoon W/o Md. Irshad Resident of Village- Ghusmar, PS- Muffasil,
District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP
For the Informant : Mr. Birendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 16-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Muffasil P.S. Case No. 43 of 2024 registered for the alleged offences under Sections 323, 307, 504, 506, 379 of the Indian Penal Code.

03. As per prosecution case, the informant alleged that his wife, the petitioner herein, assaulted her mother with sharp weapon on her head, causing serious injuries. Subsequently, mother of the informant died during her treatment. The background is stated to be the illicit relationship of the petitioner and objection raised by the deceased.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The FIR has been lodged after delay of one day without any explanation. There is no eye witness to the occurrence and the case of the informant is not believable. The petitioner is the first wife of the informant who has solemnized another marriage. The mother of the informant was in favour of this petitioner and supported her. For this reason, the informant and his wife remained annoyed with her and they themselves committed this assault on the mother of the informant. The mother of the informant died and the postmortem report shows the cause of death was haemorrhagic and neurogenic shock as a result of injuries caused by blunt force and this finding is against the allegation of causing sharp injuries. The petitioner herself surrendered on 06.03.2024 and she is having two daughter aged about 7 years and 5 years, respectively. Charges have been framed on 30.05.2025 and only two witnesses have been examined out of nine charge-sheet witnesses and there is no likelihood of conclusion of the trial in near future. The petitioner is having clean antecedent.

05. Learned APP for the State as well as learned counsel for the informant vehemently opposes the submission made on behalf of the petitioner. Learned counsel for the



informant submits that there is specific allegation against this petitioner for causing injuries to the mother of the informant and she subsequently died. Learned counsel further submits that the petitioner fled away after committing the assault and this shows her guilty mind. The occurrence took place during 9:00 AM-10:00AM when the petitioner was present in the house. Learned APP submits that the witnesses examined during investigation by the police have all supported the prosecution case and the postmortem report also supports the allegation though the injury is stated to be caused by blunt substance.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the serious nature of allegation, I am not inclined to enlarge the petitioner on bail and hence, her prayer for bail is **rejected**.

07. The learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

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