

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57041 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- JALALPUR District- Saran

1. Amir Alam S/o Samsuddin Miyan R/o Village- Belkunda, P.S.- Jalalpur, District- Saran
2. Nasima Khatoon D/o Samsuddin Miyan R/o Village - Belkunda, P.S - Jalalpur, District - Saran
3. Sahana Khatoon @ Sahan Khatoon D/o Samsuddin Miyan R/o Village - Belkunda, P.S - Jalalpur, District - Saran
4. Bachchi Bibi @ Bachichi Bibi W/o Samsuddin Miyan R/o Village - Belkunda, P.S - Jalalpur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-08-2025 Heard Mr. Harish Kumar, learned counsel for the
petitioners and the State.

2. The petitioners are apprehending arrest in connection with Jalalpur P.S. Case No. 58 of 2025 instituted under Sections 126(2), 115(2), 118(1), 117(2), 303(2), 109, 352 and 3(5) of Bhartiya Nayay Sanhita, 2023 lodged on 29.03.2025 by the informant, Kyamuddin Mian.

3. As per the prosecution story, the informant alleged that the accused persons who are neighbours started abusing them when opposed, allegation is that Manjur Alam assaulted



the informant with 'lathi' causing injury on the head as also broken hand. When the grand-daughter came to rescue, this petitioner alongwith Nasima Khatoon attacked them with a sharp weapon causing injury to Salina Khatoon. This led to the FIR.

4. Learned counsel for the petitioners submit that an exaggerated FIR is there, injury has been found to be simple in nature, so far as assault by the petitioner no.1 is concerned, both do not have criminal antecedent and three of them are ladies.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also the materials on record coupled with the fact that the petitioners do not have criminal antecedent, three of them are ladies, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Jalalpur P.S. Case No. 58 of 2025 to the satisfaction of learned Judicial Magistrate-1st Class, Saran subject to the conditions as laid down under



Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her 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 co-operate in the investigation and make themselves available to the police as and when required;

(iv) 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;

(v) the petitioners 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.

(Rajiv Roy, J)

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