

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61041 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- NIMCHAKBATHANI District- Gaya

Rukhsana Khatoon W/o- Md. Mahmud @ Md. Mahmud Alam Village-
Manjhauli P.S- Neemchak Bathani District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-09-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.
2. This application, for grant of anticipatory bail, arises out of Neemchak Bathani Police Station Case No. 65 of 2025, dated 13.03.2025, registered for the offences punishable under Sections 126(2)/115(2)/103(1)/61(1)/61(2)/85/352/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Informant Report, is that the marriage of the informant's sister (now deceased) was solemnized with co-accused Md. Talib Sheikh about 15-16 years back. Four children were born out of the wedlock of the deceased and co-accused Md. Talib Sheikh. Just after the marriage, the petitioner along with other co-accused persons started demanding dowry and



due to non-fulfillment of the said demand, the deceased was tortured both mentally as well as physically. Due to the ill-treatment and torture, the deceased started living in the village Majhauri. On 11.03.2025, at about 3 PM, the informant got information that his sister has been killed after pressing her neck and the dead body has been hanged with stole (dupatta). On 13.03.2025, when the informant reached the place of occurrence, he saw the dead body of his sister kept in the freezer and his nephew told him that co-accused Md. Rustam Sheikh, brother-in-law of the deceased, along with 3-4 unknown persons, had come to the place of occurrence on 11.03.2025 and pressed the neck of the deceased.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case with ulterior motive. The petitioner is not a member of the immediate family of the deceased; rather, she is the cousin mother-in-law of the deceased. From perusal of the First Information Report, it appears that the specific allegation is against Md. Rustam Sheikh that he, along with 3-4 unknown persons, pressed the neck of the deceased.



5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation against the petitioner and the fact that the petitioner is not the immediate family member of the deceased and specific allegation of pressing the neck of the deceased is against Md. Rustam Sheikh, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. 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 Judicial Magistrate, 1st Class, Gaya, in connection with Neemchak Bathani Police Station Case No. 65 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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