

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66962 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- PUWAKHALI District- Kishanganj

1. Injarun Nisha W/O Juber Alam @ Munna Resident of Village- Nyayganj, ward no. 10, P.S.- Powakhali, District- Kishanganj
2. Shaharbanu D/O Juber Alam @ Munna Resident of Village- Nyayganj, ward no. 10, P.S.- Powakhali, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-09-2025 Heard Mr. Raj Kumar, learned counsel for the petitioner and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Powakhali P.S. Case No. 10 of 2025 for the offence under Sections 115(2), 126(2), 118(1), 351(3), 352, 303(2) 3(5), 109 of the BNS lodged on 23.02.2025 by the informant.

3. Prosecution case in brief is that the informant alleging that on 23-02-2025 at about 10 a.m., the petitioners did not allow him to erect *taaty* on his land. They abused him and assaulted him with spade on his head. When his son, Imteyaz came to rescue him, the petitioners assaulted him with *lathi* and other the accused persons tried to press neck of the informant. Rs. 1700/- has also been snatched from the informant. Accordingly,



the FIR.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to local village politics and they have not committed any offence as alleged. It has been submitted there is case and counter case between the parties and prior to the present case the petitioner's side has lodged a case against the informant bearing Powakhali PS Case No. 59 of 2024. It has further been submitted that the main allegation of assault by means of spade on the head of the informant is upon one Juber Alam who is not petitioner here, while allegation against these petitioners with respect to assault having been caused to his son, Imteyaz is said to be simple in nature.

5. On the other hand, learned APP opposes the prayer for anticipatory bail of the petitioners though fairly concedes that the petitioners are ladies and the main allegation is against one Juber Alam.

6. Considering the aforesaid submissions of the parties and the fact that there is a case and counter case between the parties, petitioners are ladies and main allegation of assault by means of spade is upon one Juber Alam, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail, in the event of arrest or surrender 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 like amount each to the satisfaction of learned C.J.M, Kishanganj in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative 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 his bail bond by the Trial Court itself;

(iii) 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

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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