

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71265 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- Kachna District- Katihar

Aiba Khatoon, Wife of Md. Haidar, Resident of Guagaon, P.S.- Kachna, Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Shrishti Rani, Advocate
		Mr. Jyoti Ranjan Jha, Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Kachna P.S. Case No. 41 of 2025, dated 08.07.2025 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 117(2), 109, 76, 303(2), 352, 351(2)(3) and 3(5) of B.N.S.

3. As per allegation, nine accused persons, including the petitioner, came over the land of the informant armed with *lathi*, *danda* and rod and started beating the father of the informant, who subsequently died. It is further alleged that even the informant and his brother were also assaulted by the accused persons.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. She further submits that the petitioner is a 25 year old lady and she has four young children. She also submits that there is no allegation of any overt act against the petitioner. It appears from the FIR that the petitioner has been falsely implicated on account of altercation which took place on account of land dispute.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that there is no allegation of any specific overt act and the petitioner being a lady, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



concerned Court Below, in connection with Kachna P.S. Case No. 41 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his/her criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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