

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77821 of 2024

Arising Out of PS. Case No.-138 Year-2016 Thana- MANJHAGARH District- Gopalganj

Bilkis Jahan @ Bilkis Janha W/o Mr. Seraj Alam R/o vill - Fulwariya Tola
Rupan Chap, P.S. - Manjhagarj, Distt.- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shaba Parveen W/O Late Shamas Tabrej R/O village Phulwariya Tola
Rupam Chap P.S. Manjhagarh Dist gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Adv.
For the State : Mr. Ram Anurag Singh, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 09-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends her arrest in connection
with Manjhagarh P.S. Case No. 138 of 2016 registered for the
offences punishable u/s 306/34 of the Indian Penal Code.

3. The allegation in the FIR is with respect to causing
death of the husband of the informant and the present petitioner
happens to be the mother of the deceased.

4. At the outset, it is pointed out by learned counsel for
the petitioner that the present application is a second
anticipatory bail application as the earlier one was dismissed as
withdrawn vide order dated 14.09.2017 passed in Cr. Misc. No.



22707 of 2017. It is further submitted on behalf of the petitioner that fresh development that has taken place is that one of the co-accused, namely, Seraj Alam, who is the father of the deceased and the husband of the present petitioner, has been allowed the privilege of anticipatory bail vide order dated 11.09.2024 in Cr. Misc. No. 58885 of 2024 by a co-ordinate Bench of this Court.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Be that as it may the facts that the anticipatory bail application of the present petitioner was dismissed as withdrawn much earlier, after a substantial lapse of time, this Court is not inclined to accede to the second prayer of anticipatory bail made on behalf of the petitioner and it is, therefore, rejected. It is, however, observed that when the petitioner would approach the learned Court below for grant of regular bail, the same would be considered as expeditiously as possible for the reason that one of the co-accused Seraj Alam, who is the father of the deceased, has already been granted the privilege of anticipatory bail on the same set of facts and a compromise has also been struck between the parties and the said compromise petition is also on record. It may also be taken into consideration that the petitioner



herself is a sixty year old lady, who is suffering with some ailments related to spinal pain.

7. The present application is rejected with the above-mentioned observations.

(Soni Shrivastava, J)

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