

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78493 of 2025

Arising Out of PS. Case No.-232 Year-2019 Thana- JHANJHARPUR District- Madhubani

1. Jamila Khatoon @ Jamaila Khatoon, D/O Md. Allauddin Kasai, R/O Village- Piprauliya, P.S- Jhanjharpur (ASOP), District- Madhubani.
2. Jiba Khatoon @ Jeba Khatoon, W/O Sarfe Alam, R/O Village- Piprauliya, P.S- Jhanjharpur (ASOP), District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-11-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Jhanjharpur (ASOP) P.S. Case No. 232 of 2019 registered for the offences punishable under Sections 341, 323, 324, 379/34 of the Indian Penal Code and Section 3/4 of Witch (Daain) Practices Act, 1999. Later on, Section 307 of the Indian Penal Code has been added.

3. Allegedly on the fateful day, the accused persons, including the petitioners, barged into the house of the informant and started abusing by alleging the informant to be engaged in a Witch Practices. It is specifically alleged that co-accused Allauddin Kasai assaulted her by means of knife repeatedly, due



to which she sustained head injury. There is allegation against petitioner no.2 of snatching a silver chain from the neck of the informant, besides the omnibus nature of allegation against others.

4. Learned Advocate for the petitioners referring to the F.I.R. contended that so far the allegation of snatching of valuable attributed to petitioner no.2 is concerned, the same is wholly concocted and in fact levelled in order to implicate the petitioner no.2, being a senior female family member. Moreover, there is no specific allegation against the petitioner no.1, except she is said to be present at the place of occurrence. Taking note of the aforesaid facts, during the course of investigation, the police accorded the privilege of Section 41(A) of the Cr.P.C., however, once cognizance has been taken, based upon the charge-sheet by the learned court below under Section 307 and other allied Sections of the Indian Penal Code, the petitioners moved for grant of anticipatory bail. The petitioners are women, having fair antecedent, and they undertake that they will fully cooperate in the proceeding of the court and would not indulge in such type of activity in future.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the



petitioners have actively participated in the crime.

6. Regard being had to the submissions advanced by the learned Advocate for the respective parties and considering the nature of allegation, coupled with the fact that the petitioners are women, having fair antecedent and they have been accorded the privilege of Section 41(A) of the Cr.P.C., let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani in connection with Jhanjharpur (ASOP) P.S. Case No. 232 of 2019, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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