

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80873 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- HALSI District- Lakhisarai

1. Raushan Khatun, W/O Khursid Shah, R/O Vill.- Premdiha, P.S.- Halsi, Dist.- Lakhisarai
2. Sitara Khatun @ Rukhsar Khatun, D/O Khursid Shah, R/O Vill.- Premdiha, P.S.- Halsi, Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Pathak, Adv.

For the Opposite Party/s : Mr. Sharda Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-12-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State as well as the learned Advocate for the informant.

2. The petitioners are apprehending their arrest in connection with Halsi P.S. Case No. 211 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 352, 109(1), 74, 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. In the evening of the fateful day, while the informant was sitting in her house, in the meanwhile, all the seven FIR named accused persons including the petitioners came there and started abusing. On protest being made, it is



specifically alleged that co-accused Khurshid Shah and Irshad Shah having *lathi* in their hand, assaulted the informant and her husband, due to which they sustained serious injury. There is allegation of snatching of golden chain against the petitioner no. 1, besides omnibus allegation of assault.

4. Learned Advocate appearing on behalf of the petitioners submitted that in fact on account of previous dispute, both the parties have entered into a scuffle, resulting into some injuries, moreover, the injury report reveals that the injured have sustained simple injuries. However, one of the injury is said to be dangerous to life, though the same is not attributed to the petitioners. It is further contended that though the petitioners bear two criminal antecedents, however, in both the cases, they are on bail and the cases are nothing, but the offshoot of previous dispute. The petitioners undertake that they will fully cooperate in the proceeding of the Court and would not participate in such activities.

5. On the other hand, learned Advocate for the State and the learned Advocate for the informant vehemently opposed the pre-arrest bail application and submits that the two criminal antecedent of the petitioners clearly suggest that they are habitual offenders and, in fact, because of their instigation, the present incidence took place.



6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the nature of accusation levelled against the petitioners, coupled with the fact the petitioners are women, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount **each** to the satisfaction of the learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Halsi P.S. Case No. 211 of 2025, subject to the conditions that if the petitioner shall be found indulged in such activities in future or intimidate the informant and witnesses, in such circumstances the informant or the State shall be at liberty to file application for cancellation of their bail and also subject to condition laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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