

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82271 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- Lalitgram District- Supaul

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1. Md. Shamshad @ Shamshad Alam, S/o- Haji Wasil, R/v- Lachhminiya, Ps- Lalitgram, Dist- Supaul
 2. Bibi Salima Khatoon, W/o- Md. Shamshad @ Shamshad Alam, R/v- Lachhminiya, Ps- Lalitgram, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-12-2025 Heard learned Advocate appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. At the outset, learned Advocate for the petitioners submits that petitioner no. 1 has been arrested during the pendency of the bail application and, as such, he is not pressing application on his behalf.

3. The petitioner no. 2 apprehends her arrest in connection with Lalitgram P.S. Case No. 32 of 2025, registered for the offences punishable under Sections 115(2), 118(1), 109(1), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita.

4. In the night of the fateful day, while the son and



maternal grandson of the informant had gone to attend the burial of the husband of the informant, they were called upon by the co-accused Sima Khatoon to sleep in her house and in the midnight. Md. Farukh along with some unknown persons had inflicted the knife blow to both the persons, due to which they sustained injuries.

5. Learned Advocate appearing on behalf of the petitioner no. 2 submitted that besides the fact the alleged occurrence took place on 24.06.2025, the present FIR came to be instituted on 01.07.2025, without there being any explanation for delay, there is no allegation against the petitioner of causing any overt act. Moreover, the petitioner no. 2 is a woman having fair antecedent and only on account of the fact that she being related to the family members of the other accused persons, her name has been implicated in this case. During the course of investigation, the injureds have falsely disclosed that it is the petitioner no. 2 alongwith other accused persons who have inflicted the knife blow.

6. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application.

7. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of



the fact of delay in lodging of the FIR, besides the petitioner no. 2 is a woman having fair antecedent, let the petitioner no. 2 be released on bail, in the event of her 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 Chief Judicial Magistrate, Supaul in connection with Lalitgram P.S. Case No. 32 of 2025, subject to the conditions 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 no. 2.

(Harish Kumar, J)

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