

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 131 of 2025

Arising Out of PS. Case No.-375 Year-2023 Thana- BARSOI District- Katihar

1. Satni Khatoon @ Sahela Khatoon W/o - Md. Nazir R/o vill - Kaliya Nagar Guwal Toli, P.S. - Barsoi, Distt.- Katihar
2. Dilkhush @ Dilkash S/o Md. Alam R/o vill - Kaliya Nagar Guwal Toli, P.S. - Barsoi, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar Singh, Advocate
For the Informant	:	Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 22-04-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. Petitioner no. 1 namely Satni Khatoon @ Sahela Khatoon has already been granted bail by order dated 18.01.2025 passed by a Co-ordinate Bench of this Court.

3. The petitioner no. 2 seeks bail in connection with Barsoi P.S. Case No. 375/2023 dated 21.11.2023 registered for the offences under Sections 341/323/324/325/326/307/ 302 and 34 of the Indian Penal Code.



4. The prosecution case in nutshell is that the informant gave a fardbeyan on 21.11.2023 stating therein that at around 11:30 a.m., her husband namely, Manobar Alam @ Md. Manobar was assaulted by 11 named persons including the petitioner with rod, lathi, dabiya and sword. It has further been alleged that the informant and her two sons namely Nasir @ Md. Nasir and Masibul @ Md. Masibul were also assaulted. During course of treatment, the husband of the informant died.

5. Learned counsel for the petitioner submits that petitioner no. 2 is innocent and has falsely been implicated in this case. It is submitted by learned counsel that there is general and omnibus allegation against all the accused persons and petitioner no. 1 is equally placed with the petitioner no. 2 and she has already been granted bail by a Co-Ordinate Bench of this Court. Learned counsel further submits that from the post-mortem report, it is clear that the only injury referred in the post-mortem report was found to be simple in nature. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 12.08.2024. There is case and counter case for the same



incident and the FIR of the case lodged by the accused side has been brought on record by way of Annexure 'P-4'.

6. Learned counsel for the State as well as learned counsel for the informant have jointly opposed the prayer for bail of the petitioner. Learned counsel for the State submits that all the 11 named accused persons have connived altogether and had assaulted the husband of the informant resulting in his death and hence, petitioner no. 2 does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case and taking into account that similarly situated accused persons have already been granted bail by a Co-ordinate Bench of this Court, let the petitioner no. 2 namely Dilkhush @ Dilkash be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IX, Katihar in connection with Barsoi P.S. Case No. 375/2023.

(Sourendra Pandey, J)

tusharika/-

U		T	
---	--	---	--

