

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6597 of 2026

Arising Out of PS. Case No.-262 Year-2025 Thana- DAGARUA District- Purnia

1. Jahana Khatoon @ Jahana W/o- Md. Kuddus @ Kuddus R/v- Harkhali wart no 1 PS- Dagarua Dist- Purnea
2. Md. Guddu @ Guddu S/o- Md. Kuddus @ Kuddus R/v- Harkhali wart no 1 PS- Dagarua Dist- Purnea
3. Md. Dilshad @ Dilsar @ Dilshad S/o- Md. Kuddus @ Kuddus R/v- Harkhali wart no 1 PS- Dagarua Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Pandey, Advocate
For the State	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 01-04-2026 Learned counsel for the petitioners at the outset submit that petitioner no.3, Md. Dilshad @ Dilsar @ Dilshad has been arrested and as such, he may be permitted to withdraw his prayer for anticipatory bail.

2. Accordingly, the anticipatory bail of petitioner no.3, Md. Dilshad @ Dilsar @ Dilshad stands rejected.

3. The petitioners are apprehending their arrest in connection with Dagarua P.S. Case No. 262 of 2025 registered for the offence under Sections 126(2), 115(2), 109, 76, 117(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 02.08.2025 by the informant, Manjo Khatoon.



4. As per the prosecution story, the informant alleged that due to land dispute, the accused entered the house and after abuse, the assault took place. Allegation is that on the instruction of Md. Kuddus, the petitioner no.2, Md. Guddu and Dilshad caught hold of the informant's son while Israfil gave knife repeatedly on the head as also on the chest. When Hamida Khatoon came to rescue she was also assaulted. Allegation against Saddam and Sonu is of giving lathi blow while Israfil and Dilshad gave knife blow to the son. They were shifted to hospital which followed the F.I.R..

5. Learned counsel for the petitioners submit that main allegation is against Israfil who has already been granted relief by the learned Sessions Court, no allegation is there against the petitioner no.1, Jahana Khatoon @ Jahana while so far as petitioner no.2, Md. Guddu @ Guddu is concerned, allegation is that he caught hold of the informant's son which followed assault by Israfil.

6. Learned APP opposes the prayer submitting that petitioner no.2, Md. Guddu played an active role and it was due to him that Israfil was able to give repeated knife blow to the informant's son further both of criminal antecedent.

7. Considering the submissions of the parties as also



the role that has been played by petitioner no.2, Md. Guddu @ Guddu, his anticipatory bail application stands rejected.

8. So far as petitioner no.1, Jahana Khatoon @ Jahana is concerned, in view of the fact that though name is there, allegation of assault is not against her, he is a lady, in that background, this Court is inclined to extend her the privilege of anticipatory bail.

9. Let the petitioner no.1, Jahana Khatoon @ Jahana be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Dagaru P.S. Case No. 262 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner no.1, Jahana Khatoon @ Jahana who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner no.1, Jahana Khatoon @ Jahana shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner no.1, Jahana Khatoon @ Jahana



shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner no.1, Jahana Khatoon @ Jahana shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no.1, Jahana Khatoon @ Jahana shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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