

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9833 of 2026

Arising Out of PS. Case No.-602 Year-2025 Thana- PURNEA SADAR District- Purnia

Naziya Parveen @ Naziya Khatoon @ Naziya Praveen D/o Md. Laik, W/o Md. Zabaz R/o Village- Aina Mahal, Gulabbag, P.S- Sadar, At present R/o Village- Naya Tola Damka, Nagar Panchayat, Hansda, P.S- Sadar, Ward No.35, P.O- Mohankunda, Dist- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-02-2026 Heard Mr. Sanjay Kumar Singh, learned Counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest in connection with Sadar P.S. Case No. 602 of 2025 for the offence registered under sections 317(4), 317(5) of BNS, 2023.

3. As per the prosecution story, the allegation is that the house of the accused was raided, Najmul Khatun was present and during the search, from a suitcase, 21 mobile phones and number of gold, silver and brass ornaments recovered/seized. Upon query, it was revealed that his son, Md. Ishtiaque is a thief who along with Azaz and Md. Intiyaz after committing theft, brings the materials which is being used by the family for their living. It is to be noted that the two women who escaped, the arrested lady named them as Naziya Khatun (petitioner herein) and Rabina Khatun.



4. Learned Counsel for the petitioner submits that she is a married lady, has nothing to do with the act of the brother/mother, the Police only to implicate, has named him.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that this lady has criminal antecedent. To this, learned counsel for the petitioner submits that when she was unmarried, for the act of her brother, she was also implicated.

6. Considering the submissions of the parties as also that the recovery/seizure is from the house of the mother of the petitioner and the mother and the brothers are in custody, this petitioner is a married lady, an undertaking has been given that she shall be co-operating in the investigation, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 602 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to



show her *bona fide*;

(ii) the petitioner 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 her bail bond by the Trial court itself;

(iii) the petitioner 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;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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