

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10760 of 2026

Arising Out of PS. Case No.-35 Year-2025 Thana- PATAHI District- East Champaran

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Jeenat khatoon W/O Ekbal Shekh @ Ikabal Hussain R/O Village- Mahmadi,
P.S- Patahi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-02-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Patahi P.S. Case No. 35 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 303(2), 109, 329(3), 352, 351(2) and 3(5) of the BNS.

3. As per FIR, petitioner alleged to assault grandmother of informant and also her grandfather and younger sister after criminal tresspass to her house, where during treatment grandmother of informant died due to received injuries alleged to be caused by petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that FIR in issue was lodged after 16 days of the alleged occurrence suggesting that death of grandmother of informant is remotely connected with the occurrence in issue. It is



submitted that petitioner is a lady of clean antecedent. However, fairly conceded that process under Section 84 of the BNSS already executed against petitioner. It is further submitted by learned counsel that cause of death could not ascertained by the doctor while conducting post-mortem upon deceased and, therefore, viscera has been preserved and, as such in want of viscera report it cannot be said with certainty that grandmother of informant died due to injury as alleged to be caused by petitioner.

5. Learned APP while opposing the prayer of bail submitted that specific allegation to cause fatal assault is available against petitioner that too after criminal trespass to the house of the informant and moreover, process under Section 84 of the BNSS already appears executed against petitioner.

6. In view of aforesaid factual submission and by taking note of fact as specific allegation *qua* causing fatal assault is available against petitioner against whom process under Section 84 of the BNSS already appears executed, accordingly prayer of anticipatory bail of petitioner stands rejected.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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