

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13597 of 2026

Arising Out of PS. Case No.-117 Year-2025 Thana- PAHARKATTA District- Kishanganj

1. Mousama Khatoon W/o Satibur Rahman @ Manglu, R/o Vill - Khajurbari, Ward No. 1, P.S.- Paharkatta, Distt.- Kishanganj.
2. Tohid Alam @ Tohid @ Touhid Alam S/o Afta, R/o Vill - Khajurbari, Ward No. 1, P.S.- Paharkatta, Distt.- Kishanganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Rajeev Ranjan, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP
For the Informant	:	Ms. Rachna Rani, Advocate (AUIN No. 104192)

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. In the present case, the petitioners are apprehending their arrest in connection with Paharkatta P.S. Case No. 117 of 2025, registered for the offences punishable under Sections 115(2), 126(2), 109(1), 74, 351(2), 352 and 303(2) read with Section 3(5) of the B.N.S., 2023.

3. As per prosecution case, in the background of land dispute the petitioners and other co-accused persons assaulted the informant and his family members causing a number of injuries to them. The allegation against the petitioners and other co-accused persons is that they put down the brother of the informant and inflicted knife injury on the



testicles of the informant's brother.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case. Petitioner no. 1 is a lady and the only allegation against her is that she along with other co-accused persons put down the brother of the informant who was then assaulted with knife by some other co-accused person. Otherwise, the allegation against the petitioners are general and omnibus. Land dispute between the parties is an admitted fact and informant wanted to grab the land of the petitioners forcibly and for this reason some altercation took place between them. From the facts of the case it is apparent that no offence under Section 109(1) or Section 303(2) of the B.N.S. 2023, is made out against the petitioners. The whole occurrence took place on the spur of the moment. Learned counsel lastly submits that the petitioners are having clean antecedent.

5. Learned A.P.P. as well as learned counsel for the informant vehemently oppose the submissions made on behalf of the petitioners. Learned counsel for the informant submits that similarly placed co-accused against whom there is similar nature of allegation as is against the petitioner, Mousama Khatoon, namely Anjar Alam and Sohrab Alam have been



refused the privilege of anticipatory bail by a learned co-ordinate Bench of this Court *vide* order dated 24.02.2026 passed in Cr. Misc. No. 8184 of 2026.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner no. 1 is a lady and there is no specific allegation of causing injury either against petitioner no. 1 or against petitioner no. 2, Tohid Alam and further considering the fact that the allegation levelled against the petitioners are general and non-specific and also taking into account their clean antecedent, let the petitioners above-named, in the event of their arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with **Paharkatta P.S. Case No. 117 of 2025**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and



*every date fixed by the Court below, if so required by the
learned trial Court.*

(Arun Kumar Jha, J)

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