

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24121 of 2026**

Arising Out of PS. Case No.-175 Year-2025 Thana- BARACHATTI District- Gaya

1. Jamila Khatoon W/o- Late Kamaluddin Miyan @ Late Md. Kamal Alam Resident of Village-Chhauda Bandh, Post- Bhadeya, P.S-Barachatti, Dist-Gayaji
2. Md. Mushtaque Alam S/o- Late Kamaluddin Miyan @ Late Md. Kamal Alam Resident of Village-Chhauda Bandh, Post- Bhadeya, P.S-Barachatti, Dist-Gayaji
3. Md. Saif Alam S/o- Late Md. Kamaluddin Miyan @ Late Md. Kamal Alam Resident of Village-Chhauda Bandh, Post- Bhadeya, P.S-Barachatti, Dist-Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjit Kumar  
For the Opposite Party/s : Mr. Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      22-04-2026                      1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Barachatti Police Station Case No. 175 of 2025, disclosing offences under Sections 126(2), 115, 109, 117, 76, 352, 351(2), 3(5) of the BNS, 2023.

3. As per the prosecution case, the informant alleged that after her marriage in 2020, despite sufficient dowry being given, she was subjected to continuous physical and mental cruelty by her matrimonial family over further dowry



demands. Upon resisting, she was abused, assaulted, and faced an alleged attempt to outrage her modesty by the accused persons, including her husband. It is further alleged that during the incident, she and her husband were assaulted, and her minor daughter sustained a fracture after being thrown. Both were initially treated at Sadar Hospital, Barachatti, and later referred to A.N.M.M.C.H., Gaya for better treatment.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case due to an existing land dispute between close family members. It is further submitted that the alleged injuries attributed to the petitioners are simple in nature. The allegation regarding injury to the minor child is also not supported by medical evidence. It is also submitted that the case arises out of a trivial family dispute, and allegations such as snatching of valuables are baseless and ornamental. The allegations against the petitioners are general and omnibus in nature, without any specific overt act, and are not supported by credible evidence.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner no. 1 is a lady having no criminal antecedent, I am inclined to grant the petitioner no. 1 privilege of anticipatory



bail.

6. Insofar as petitioner nos. 2 and 3 are concerned, they are named in the FIR and there is specific allegation of assault against them, accordingly, I am not inclined to grant privilege of anticipatory bail to petitioner nos. 2 and 3. Accordingly, the prayer for bail of petitioner nos. 2 and 3 is rejected.

7. This application is partly allowed to the extent indicated above.

8. Let the petitioner no. 1, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sherghatti, Gaya, in connection with Barachatti Police Station Case No. 175 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

**(Anil Kumar Sinha, J)**

HarshPandey/-

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