

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20604 of 2026

Arising Out of PS. Case No.-583 Year-2024 Thana- AMARPUR District- Banka

1. Bibi Firoja W/o Md. Husain R/o Village- Hasanpur, PS- Amarpur, District-Banka
2. Md. Hussain S/o Md. Seraj R/o Village- Hasanpur, PS- Amarpur, District-Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 19-05-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State through virtual mode.

2. The petitioners are apprehending their arrest in connection with Amarpur P.S. Case No. 583 of 2024, dated 25.08.2024 registered for the offences punishable under Sections 126(2)/115(2)/110/74//352/351(2)/3(5) of BNS.

3. As per prosecution case, the present petitioners and the informant are the family members and there is a land dispute between them. On 18.08.2024 the petitioners were abusing the informant and when the informant protested, the petitioners assaulted her by fists and iron rod. When the



informant's son Md. Tipu intervened to rescue her, he too was assaulted by the petitioners by lathi and danda. It is

4. Learned counsel for the petitioners submits that petitioners are innocent, have not committed any offence and have falsely been implicated in this case. Counsel for the petitioners submits that the informant happens to be mother-in-law of petitioner no. 1 and mother of the petitioner no. 2 and presently resides with them. The instant matter is with regard to dispute relating to share in land and due to this dispute petitioners assaulted the informant and as a result of the same she sustained injuries, which the petitioners seriously regret for it now and undertake that in future, they would be taking all care of informant and have also volunteered to pay Rs. 25,000/- in favour of the informant with an undertaking that in future no such incident would take place and they would be taking all cares so that such incident will not be repeated in future. It has also been undertaken before this Court by the petitioners that in future if such incident is repeated, the informant of the instant case may be put at liberty to seek cancellation of the anticipatory bail of the petitioners.

5. Learned APP for the State opposes the prayer for anticipatory bail application.



6. Considering the aforesaid facts and circumstances and that petitioners are daughter-in-law and son of the informant and they undertake to take all care of the informant and also to maintain her and keep the informant with themselves with full dignity. This Court is inclined to grant the privilege of anticipatory bail to the petitioners with a condition that the petitioners will pay Rs. 25,000/- to the informant at the time of furnishing bail bond and they are directed to sign an undertaking and submit a receipt of the same..

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 583 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioners who shall provide official document/personal affidavit to show his/her bona fide;



(ii) the petitioners 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/their bail bond by the Trial Court itself;

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

(Ajit Kumar, J)

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