

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21664 of 2026

Arising Out of PS. Case No.-346 Year-2025 Thana- BELDOUR District- Khagaria

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1. Md. Johur @ Md. Jahur Son of Md. Hatim
 2. Jumni Khatun Wife of Md. Johur
- Both are Resident of Village- Thatha Basa Dumri, Ward No. 3, P.S.- Bel-
dour, District- Khagaria

... Petitioners

Versus

1. The State of Bihar
2. Rajiaya Begum (F) age about 29 yrs, W/o- Md. Johur, R/o- Thatta Basa
Dumri, Ward No. - 03 P.S. - Beldour, District- Khagaria.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Singh, Advocate
	:	Mr. Praveen Kr. Agrawal, Advocate
For the Opposite Party/s:	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 13-07-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest in connection with Beldaur

P.S. Case No.346 of 2025 registered under Sections 126(2),

115(2), 85, 109, 352, 351(2&3) read with 3(5) of the

Bhartiya Nyaya Sanhita, 2023 (in short 'BNS') .

3. Allegation against the petitioners that he along



with co-accused persons assaulted the informant who is none but his wife and made an attempt to kill her during the occurrence by tying dupatta around her neck, which alleged to pull in opposite directions by these petitioners and co-accused/another wife, namely, Jumni Khatun.

4. It is submitted by learned counsel for the petitioners that, when certain disputes surfaced between the two wives of the petitioners, the present false case was lodged. It is further submitted that no such occurrence took place as alleged through FIR, that these petitioners along with another wife made an attempt to kill the informant by tying dupatta around the neck of the informant. It is next submitted that this fact appears false from the statement of the mother and father of the informant herself and in support of his submissions, learned counsel drawn attention to para no. 3 and 4 of the case diary, where the statement of parents of informant appears recorded under Section 180 of the BNSS. It is further submitted that none of these witnesses who are the parents of the informant said that any such attempt as alleged was made rather it was stated that the petitioners



assaulted by fight and fist to their daughters during the occurrence. It is further submitted that in view of same, it can be safely said that the petitioners were not under intention to kill the informant/ wife of the petitioners. Petitioners claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact, as the statement of witnesses during the course of occurrence, who are none but the father and mother of the informant, and the eye-witness of the occurrence *prima facie* cast doubt *qua* allegations of informant that these petitioners made an attempt to kill her by way of strangulation, accordingly, the petitioners above-named, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Beldaur P.S. Case No.346 of 2025, subject to the conditions as laid down under Section 438(2) of



the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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