

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30252 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Shaista Parween @ Saista Pravin W/o Ansarul Haque @ Ansarul Haq Resident of Mohalla- Ghora Mara, Veena Complex, Block No.- 1, 4D, P.S.- Hathi Gaun, Distt.- Guwahati (Assam), At present vill - Mirdad, P.S.- Biharsarif, Dist.- Nalanda
 2. Suhail Alam @ Sohail Ahmad S/o Late Md. Isha R/o Mohalla - Erki, P.S.- Jehanabad, Distt.- Jehanabad
 3. Shamsheer Alam @ Samsheer Ahmad S/o Suhail Alam @ Sohail Ahmad R/o Mohalla - Erki, P.S.- Jehanabad, Distt.- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amjadi Begum W/o Late Anjarul Haque R/o Mohalla - Mogalpura, Chhoti Bazar, P.S.- Khajekala, Distt.- Patna

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 35144 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

Ansarul Haque @ Ansarul Haq S/o Late Anwarul Haque Resident of Mohalla- Ghora Mara, Veena Complex, Block No.- 1, 4D, Police Station- Hathi Gaun, Distt.- Guwahati (Assam) At present Vill.- Mirdad, P.S.- Biharsarif, Distt.- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amjadi Begum W/o Late Anjarul Haque R/o Mohalla- Mogalpura, Chhoti Bazar, P.S.- Khajekala, Distt.- Patna

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30252 of 2025)

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

(In CRIMINAL MISCELLANEOUS No. 35144 of 2025)



For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

8 20-02-2026 1. Heard the parties.

2. Since both these applications arise out of the same Complaint Case No. 233 / 2024 as such both are taken up together and are being disposed by this common order.

3. The petitioners are seeking anticipatory bail in connection with Complaint Case No. 233 / 2024 dated 06.03.2024 in which cognizance has been taken under Section 352, 389, 420, 406, 503 , 379, 506 of the I.P.C.

4. The petitioners are the brother-in-law, gotani, father of sister- in- law and brother of sister-in-law of the complainant. As per allegation made in the complaint the late husband of the complainant was the owner of two trucks but he unfortunately died on 20.05.2021. After the death of complainant's husband, the trucks were being plied by her brother-in-law Ansarul Haque @ Ansarul Haq. The truck no. AS01FC-7586 & AS01FC-3886 belonging to the complainant's husband were being plied in Assam but the income arrived out of the trucks was not being paid to the complainant. Truck No. AS01FC- 3886 was seized in Assam in 2023 and is kept at Sukiya Police Station. It has



further been alleged that when the complainant demanded the articles, property including the trucks, she was assaulted and was threatened with dire consequences.

5. Learned counsel for the petitioners submits that when the complainant's husband was alive the petitioner -Ansarul Haque @ Ansarul Haq used to do joint business with the complainant's husband. The truck bearing no. AS01FC-3886 was seized by the Police and is kept in Police Station and another truck no. AS01FC-7586 was sold on 06.06.2024 by the complainant. Learned counsel next submits that from perusal of the allegation made in the complaint no offence much less any criminal offence is made out and civil dispute between family members has been given the colour of criminality. The allegation of assault is ornamental and is not serious in nature. No injury has been produced by the complainant during course of S.A. examination. It has also been submitted that the complainant had earlier filed Complaint Case No. 1095(C) / 2023 which is pending before the learned court of Ms. Pratima Kumari, J.M. Patna City on similar allegation and when the petitioners were granted anticipatory bail by the court below, the present complaint has been filed in abuse of the process of the court.

6. On the other hand, learned counsel for opposite party no. 2



vehemently opposed the prayer for bail and submits that after the death of complainant's husband the petitioners in connivance sold one of the trucks and were doing illegal business of transportation of cattle from another truck due to which the same was seized by the Assam Police. It has further been submitted that there were three trucks belonging to the complainant's husband but the petitioners' side did not give any amount out of plying of the trucks on hire basis and are also not giving the property belonging to the complainant's husband after his death.

7. Regard being had to the submission made by the parties, taking into consideration the nature of allegation made in the complaint, the fact that there appears to be property dispute between the family members, the complainant is the sister-in-law of the petitioner / Ansarul Haque @ Ansarul Haq and other family members have been made accused, accordingly, I am inclined to grant anticipatory bail to the petitioners.

8. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each



with two sureties of the like amount each to the satisfaction of
Ms. Sunita Kumari, J.M., Patna City, Patna in connection with
Complaint Case No. 233 of 2024 subject to the condition as laid
down under Section 482 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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