

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35866 of 2026

Arising Out of PS. Case No.-255 Year-2026 Thana- SIKARPUR District- West Champaran

Ashiya Khatoon @ Aashya Khatun W/O Ibrar Ansari R/O Pokhariya
Maldahiya, Ward No. 08, Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 27-05-2026 Heard the learned counsel for the petitioner and
the learned APP for the State.

2. The petitioner apprehend her arrest in connection with Shikarpur P.S. Case No. 255 of 2026, for allegedly having committed offence under Sections 126(2), 118(2), 115(2), 109(1), 351(2), 352 and 3(5) of BNS.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that he has got four sons and one daughter, out of which, his eldest son Ibrar Ansari, Rahim Ansari and daughter have already been married. It has been alleged that there is no partition of land in between them and the informant has not given any share to his sons or daughter. It has further been alleged that his eldest son Ibrar Ansari and the



youngest son Kaiyum Ansari used to fight with him for partition of the land. On the date of occurrence, when the informant was sitting in his house, his youngest son Kaiyum Ansari and the petitioner, who happens to be the wife of his eldest son Ibrar Ansari, came there armed with sword and they put pressure upon the informant to do the registry of the land in their names. Upon refusal, they started using filthy language against the informant and when he objected to the same, the petitioner caught him from behind. Upon which, the youngest son of the informant namely Kaiyum Ansari assaulted on his head with the sword, due to which he suffered injuries and then, both the accused persons started assaulting him with fists and leg. When his another daughter-in-law came to save him, the petitioner snatched a gold chain from her.

4. The learned counsel for the petitioner submits that the petitioner is the daughter-in-law of the informant and has been falsely implicated in the present case for demand of her share in the property. He further submits that a *panchayati* was done on 18.09.2025, in which the informant entered into an agreement with respect to partition of the landed property, however he retracted from the same, which resulted in the present occurrence. He further submits that the petitioner has



also lodged Shikarpur P.S. Case No 254 of 2026, under different sections of the BNS against the informant & others and the present case is a counter blast of the same. He further submits that even if the allegations leveled against the petitioner are accepted to be true, the specific allegation of assault is against co-accused Kaiyum Ansari. He further submits that the petitioner is a lady and has got a clean antecedent.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner, being the daughter-in-law of the informant, assaulted him, due to which he suffered injuries on his head.

6. Having heard the rival submissions and after going through the records, it appears that the only allegation against the petitioner is that she caught hold the informant from behind and upon which, the co-accused Kaiyum Ansari assaulted on his head with a sword, due to which he sustained injuries. The petitioner had lodged Shikarpur P.S. Case No. 254 of 2026 against the informant & others and the present case is a counter-blast of the same. The petitioner is a lady and has got a clean antecedent. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six 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 the learned A.C.J.M-VI, West Champaran in connection with Shikarpur P.S. Case No. 255 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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