

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41199 of 2025

Arising Out of PS. Case No.-280 Year-2024 Thana- MANIHARI District- Katihar

1. Nayama Khatoon @ Nayma Khatoon W/o- Badruddin @ Md. Badruddin Resident of village- Babupur PS- Manihari District- Katihar
2. Momina Khatoon D/o- Badruddin @ Md. Badruddin Resident of village- Babupur PS- Manihari District- Katihar
3. Tanjira Khatoon D/o- Badruddin @ Md. Badruddin Resident of village- Babupur PS- Manihari District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate
For the Opposite Party/s : Mr.Bhanu Pratap Singh, A.P.P.
Mr. Md. Musooir, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 05-02-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Manihari P.S. Case No. 280 of 2024 instituted for the offences under Sections 191(3), 115(2), 126(2), 118(1), 109, 103(1), 352 of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the accused persons including the petitioners are of assaulting the informant, her husband and her son by means of lathi and farsa, leading to the death of informant's husband in course of his treatment.



4. Learned counsel for the petitioners submits that the petitioners are innocent and has committed no offence as alleged against them and have falsely been implicated in the present case. There is a case and counter case between the parties. There is no specific or direct allegation of any overt act against the petitioners rather the same is general and omnibus in nature. Both the parties are none else but own agnates of the Informant namely Abbu Tahir. The Informant in her re-statement recorded in Para-5 of the case diary has given exactly same statement as given in the F.I.R. and in both the statements, the informant has not made any specific allegation of any overt act against the petitioners. It has been submitted on behalf of the petitioners that petitioners are ladies and they have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manihari P.S.



Case No. 280 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

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