IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75141 of 2026

CNR No. BRHC011097382026

Arising Out of PS. Case No.-151 Year-2026 Thana- RAHIKA District- Madhubani

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1. Md. Sitare S/o Md. Islam R/o Village - Ijara, Ward No. 05, P.S. - Rahika, Distt. - Madhubani.
2. Khushboo @ Khusboo Parveen D/o Late Md. Islam R/o Village - Ijara, Ward No. 05, P.S. - Rahika, Distt. - Madhubani.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioners : Mr. Shailendra Kumar Jha, Advocate
For the State : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

2 28-10-2026 Heard the learned counsel for the petitioners and the learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Rahika P.S. Case No.151 of 2026 for allegedly having committed offences under Sections 329(3), 329(4), 126(2), 115(2), 118(1), 109(1), 303(2), 74 and 3(5) of B.N.S.

3. As per the *fardbeyan* given by the informant before the police to the effect that on 18.05.2026 at around 09:00 in the morning while she was doing her daily household work, in the meantime, all the named accused persons, including the petitioners herein started abusing her and told her to bring Rs.2,00,000/- and a motorcycle in dowry and only then she will

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be permitted to live in the matrimonial home. When the informant refused to do so, her mother-in-law came there running and caught hold of her by her hair and thereafter the petitioner no.2 and one another accused, Bubu assaulted the informant with brick and told the informant that they will get their brother married again. In the meanwhile, the petitioner no.1, who was armed with a knife, came there and with an intention to kill her assaulted on her neck and again assaulted on her back. He again assaulted the informant with the knife on her head. Thereafter the petitioner no.1 and one another co-accused person snatched gold ornaments from her. The informant was taken for treatment by the villagers and her sister, who is also married in the same village, at Sadar Hospital, Madhubani where the *fardbeyan* was recorded.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He submits that there is a matrimonial dispute in between the informant and her husband and both the petitioners have been falsely implicated in the present case. He submits that the true fact is that the informant was attacked by her husband, however the petitioner no.1, who is the brother of the husband of the informant and resides at Delhi, has been falsely

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implicated in the present case. So far the petitioner no.2 is concerned, she is residing at her matrimonial home and she was not even present at the place of occurrence. He next submits that the petitioner no.1 is the brother-in-law and the petitioner no.2 is the sister-in-law of the informant and since they are the family members of her husband, they have been implicated in the present case. He submits that both the petitioners have got a clean antecedent.

5. Per contra, the learned APP appearing on behalf of the State, while opposing the prayer for grant of anticipatory bail to the petitioners, submits that so far the petitioner no.2 is concerned, she assaulted the informant with a brick and so far the petitioner no.1 is concerned, he assaulted the informant multiple times on her neck, back and head.

6. Having considered the rival submissions and after going through the records, it appears that so far the petitioner no.2 is concerned, the allegation against her is that she assaulted the informant along with her sister with brick, however from perusal of the injuries discussed by the learned District & Additional Sessions Judge-X, Madhubani in his order dated 01.09.2026, it would transpire that no such injuries were found.

7. Considering that the petitioner no.2 is a lady and

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the assault attributable against her has not been corroborated by the injuries sustained by the informant, let the petitioner no.2, above-named, in the event of her arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Ist, Madhubani in connection with Rahika P.S. Case No.151 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioner no.2 and in case at any stage it is found that the petitioner no.2 has concealed her criminal antecedent, the court concerned shall take steps for cancellation of her bail bond. 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.

8. So far the petitioner no.1 is concerned, there is specific allegation against him that he assaulted the informant with a knife on her neck, back and head. The injuries, which have been discussed by the learned District & Additional Sessions Judge-X, Madhubani in his order dated 01.09.2026 recorded that the injuries on her head and neck were found to be

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incised wound and the same were found to be dangerous to life by the doctor.

9. Considering the allegation against the petitioner no.1 and the same being corroborated by the injuries, which has been discussed in the impugned order dated 01.09.2026 passed by the learned District & Additional Sessions Judge-X, Madhubani and the assault was repeated, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner no.1 and accordingly the same is rejected.

(Ritesh Kumar, J.)

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