

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79186 of 2025

Arising Out of PS. Case No.-324 Year-2025 Thana- MAJHAULIA District- West Champaran

1. Rabushan Khatoon W/O Sheikh Nejamuddin Resident of village- Bathana Ward No. 2, Post- Birwa, Harpur, HarpurTola, P.S.- Manjhauliya, District- West Champaran
2. Sabra Khatoon @ Sabri Khatoon D/O Sheikh Jamadar, W/O Parwez Alam Resident of village- Bathana Ward No. 2, Post- Birwa, Harpur, HarpurTola, P.S.- Manjhauliya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alexander Ashok, Advocate
	:	Mr. Jawed Akhtar, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2026 Heard Mr. Alexander Ashok, learned counsel for the petitioners as well as Mr. Jagdhar Prasad, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who is in custody since 04.06.2025 in connection with Majhauliya P.S. Case No. 324 of 2025, F.I.R. dated 03.06.2025 for the offences punishable under Sections 103(1), 238(a), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that the petitioners along with other co-accused persons killed his daughter, namely, Najrun Nesha(now, deceased).



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they falsely been implicated in the present case. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. Petitioner no.1 is mother-in-law and petitioner no.2 is sister-in-law of the deceased. Although the petitioners are named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act or demand of dowry against them. The police after investigation submitted charge-sheet and the petitioners are in custody since 04.06.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioners have clean antecedent and there is no specific allegation of assault or overt against them, let the petitioners, above named, 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 Chief Judicial Magistrate, West Champaran in connection with Majhauriya P.S. Case No. 324 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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