

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88293 of 2025

Arising Out of PS. Case No.-619 Year-2023 Thana- BIHAR District- Nalanda

Laiba Fariyal @ Laiba Farihal Daughter of Syed Absarul Hassan Resident of Village - Naya Tola Indira Nagar, Ganj No. 1, Bettiah, P.S.- Bettiah Muffasil, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Shahnawaz Son of Md. Waizuddin Resident of Village - Kagzi Mohalla,
P.S.- Bihar, District - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan
For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-01-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the offences for which the instant FIR was instituted carries punishment of 7 years and less as such petitioner was given notice under Section 41A of the Cr.P.C. It is next submitted that petitioner co-operated in the investigation and the police never felt the need of arresting the petitioner but then charge sheet



came to be submitted, based on which, cognizance was taken, thus petitioner apprehends arrest. Learned counsel next submitted that when police during the course of investigation never felt the need of arresting the petitioner, whether it would be prudent for the court to send the petitioner to jail based on the fact that cognizance came to be taken based on the charge sheet. It is also submitted that petitioner is willing to return an amount of Rs. 1 lakh to the informant prior to the date of surrendering.

4. Learned counsel appearing on behalf of the informant also does not oppose the anticipatory bail application of the petitioner as petitioner has undertaken to return an amount of Rs.1 lakh to the informant prior to the date of her surrendering.

5. Learned counsel for the petitioner, at this stage, submits that petitioner prior to surrendering will credit an amount of Rs.1 lakh in the saving bank account of the informant and shall furnish the receipt at the time of surrendering.

6. Learned counsel appearing on behalf of the informant submits that he will whats-app the saving bank account number of the informant to the learned counsel appearing on behalf of the petitioner and the learned counsel



appearing on behalf of the petitioner undertakes to communicate the same to the petitioner.

7. After hearing the learned counsel for the parties, the petitioner, the petitioner above-named, in the event of her arrest or 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.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bihar P.S. Case No.619/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that the learned trial court before accepting the bail bonds of the petitioner, shall verify whether any documentary evidence has been brought on record at the time of surrender, showing that an amount of Rs.1 lakh has been credited in the saving bank account of the informant, if no documentary evidence is brought on record at the time of surrendering, showing deposit of Rs.1 lakh in the account of the informant, in that event, the present anticipatory bail order shall not be given effect to but if it is found that documentary evidence has been annexed, showing deposit of Rs.1 lakh in the account of the informant, in that event, the instant order shall be



given effect forthwith.

(Satyavrat Verma, J)

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