

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88407 of 2025

Arising Out of PS. Case No.-430 Year-2025 Thana- BABUBARHI District- Madhubani

1. Sulekha Khatoon @ Sulekha Khatun W/O Hira Nadaf R/O Village - Dudahi, P.S- Babubarhi, District - Madhubani
2. Johara Khatoon @ Johara Khatun W/O Sobrati Nadaf R/O Village - Dudahi, P.S- Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Advocate General Bihar patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Adv. Mr. Ravi Prakash, Adv. Ms. Udeshya Kumar Yadav, Adv.
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 12-03-2026 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103(1) and 3(5) of the B.N.S..
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are women and the informant alleges that on 24.09.2025 at 6 A.M., a dead body was found hanging from a tree, on alarm, the informant came to the place of occurrence and found the dead body of her son whose neck was tied with a Dupatta and mouth tied with



clothes, next alleges that four days prior to the occurrence, a panchayati regarding a mutual dispute involving the deceased had taken place, during which several persons including the petitioners had threatened to kill her son, thus alleges based on suspicion that her son was killed by the accused persons including the petitioners by hanging him from the tree.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the entire allegation hinges around suspicion. It is further submitted that there is no eyewitness to the occurrence nor the FIR discloses as to what dispute involving the deceased had taken place for which a panchayati was held and the deceased was threatened by the accused persons including the petitioners. It is further submitted that no doubt the dead body of the deceased was found hanging on a tree but then whether the petitioners were involved in the occurrence or not is an aspect of investigation. It is also submitted that the deceased had made viral a photograph of the daughter of the petitioner no.1 for which the panchayati was held but then in the FIR the informant for reasons best known does not disclose the reason for which the panchayati



was held. It is also submitted that it absolutely does not stand to reason that as to why the petitioners who are mother and Aunt (Mami) of the victim whose photo was made viral on social media would have indulged in such an occurrence.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners but then the learned APP after perusing the case diary fairly submits that there is no eyewitness to the occurrence and no material has transpired during the course of investigation connecting the petitioners with the offence except for suspicion. Learned counsel appearing on behalf of the informant also not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that petitioners have been implicated in the instant case based on suspicion and that there is no eyewitness to the occurrence. Learned APP submits that in the event if privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond, on which, the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. After hearing the learned counsel for the parties and also taking into consideration the fact that petitioners are



persons with clean antecedent and are women, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Babubarhi P.S. Case No.430/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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