

In the Court of Addl. Sessions Judge II, Aurangabad
A.B.P No. 621/26
Rafiganj PS case no. 43/26
(Gul Afsa Khatoon and others v/s State of Bihar)

Counsel for the petitioner – Shree Arjun Yadav (Advocate).
Counsel for the State – Shree Shyam Nandan Tiwary (A.P.P.).

Present – Anindita Singh
Addl. Sessions Judge II
Aurangabad

9.4.2026 -An application for anticipatory bail filed on behalf of accused petitioners 1. Gul Afsa Khatoon, 2. Tamanna Parveen and 3. Fiza@ Tarannum Parveen who are apprehending their arrest in connection with Rafiganj P.S. case no. 43/26 under section 115(2), 126(2), 109, 85, 3(5) BNS & 3/4 Dowry Prohibition Act has been pressed today for hearing.

Heard Ld. Counsel of the petitioners as well as Ld. APP.

One Md. Aslam is the informant of the case who has filed a written report in Rafiganj police station alleging therein that he has married his sister Nazia Khatoon ten months ago in accordance with Muslim rites and rituals with Md. Istekhar. After marriage she was being pressurized to bring one Bullet motorcycle and cash Rs. 3 lakhs from her mayka and they always used to assault her. The informant was not able to meet the unlawful demands of them. On 19.2.26 at 2:00 PM Md. Istekhar, Md. Anees, Anwari Khatoon, Md. Ehsan, Gul Afsa Khatoon, Tamanna Parveen and Fiza brutally assaulted his sister and tried to strangle her. On information the informant went there and found his sister in unconscious condition with marks on her neck and other parts of body then he informed the police on 112 and brought his sister to Magadh Medical College, Gaya for treatment.

It has been submitted by the learned counsel on behalf of petitioners that the petitioners are entirely innocent and have falsely been implicated in this case. The petitioners have not moved any other anticipatory or regular bail either before the Hon'ble High Court or before this Court. The petitioners are sisters-in-law of the victim out which petitioner no. 2 & 3 are married nanad. The allegations are in fact are result of matrimonial dispute and are omnibus in nature. The learned counsel further points out the stark contradictions between the allegation of pressing the neck of the victim and the IO's finding of the broken door of the room of the victim and the dupatta hanging on the ceiling fan in the said room suggesting that actually a suicide attempt has been made by the victim. The co-accused Md. Ehsan has been allowed bail earlier vide BP No. 237/2026 dt. 7.3.2026. Accordingly, prayer has been made to enlarge the petitioners on anticipatory bail.

On the other hand Ld. APP on behalf of state as well as Ld. Counsel of the victim vehemently opposes the prayer of bail citing the gravity of under section 307 of IPC and on the injury report of the victim which shows that she was admitted in the Magadh Medical College Hospital, Gaya and thereafter discharged after four days. Accordingly prayed to reject the pre-arrest bail.

Heard and perused the case record as well as the case diary in total 43 paragraphs till 13.2.26 which has already been received. The thrust of allegation against the present petitioners is of demanding dowry from the victim who is the sister of the informant and to strangle her on non-fulfillment of demand of dowry. The informant in his re-statement in para no. 2 and the other witnesses who happens to be the relatives of the victims in para no. 3, 4, 5 & 6 have supported the allegations, however no specific allegation of either demand or assault has been levelled against the present petitioners. Further it reveals from para no. 15 of the case diary that one of the resident of the PO village it has been stated that the victim herself locked her room and when the door was broken it was found that victim has hanged herself with the help of dupatta who was rescued which is also corroborated by para no. 12 of

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9.4.2026

the case diary which deals with the PO. The spot inspection by the IO reveals that he has found the door of the victim in broken condition and dupatta tied with ceiling fan of the room. The photographs have also been annexed in the case diary. Further the discharge ticket of ANMCH, Gaya also shows that no external injury has been found on the body of the victim rather she has made complain in her cervical region only and she remained admitted in hospital for four days which also prima-facie is inconsistent with the allegation made against the present petitioners. Moreover, the victim herself in para no. 39 of the case diary have made specific against against her brother-in-law Md. Ehsan of pressing her neck who has also been granted regular bail by the Ld. Sessions Court. The present petitioners carry no criminal antecedent as per the para no. 18 and are sisters-in-law of the victim out of which two are married already. As per submission the husband of the victim is already in jail and the other co-accused persons have been allowed regular bail.

Considering the entire facts and circumstances of the case, I consider it a good case for the grant of anticipatory bail to the present petitioners. Accordingly, they, in the event of their arrest/surrender in the Court within four weeks from the date of the receipt of copy of this order, are directed to be released on bail on furnishing bail-bond of Rs. 20,000 with two sureties of the like amount each to the satisfaction of the learned concerned court subject to the conditions as laid down under Section 438 Cr.P.C./482(2) of BNSS.

Sd/-

(Anindita Singh)

Addl. Sessions Judge -II