

Court of District and Addl. Sessions Judge, Biraul(Darbhangha)

Present:- Sri Shiv Kumar,

Dist.&Addl. Sessions Judge, Biraul.

ABP No. 190/2026(Shajiya Parveen and others vs. State of Bihar)

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In the Court of District and Addl. Sessions Judge, Biraul, Darbhanga

ABP No. 190 of 2026

In the matter of :-

1. Shajiya Khatoon, Wife of Mojibur Rahman
2. Shoraiya Parveen, Wife of Shaifur Rahman

.....Petitioners.

Vs.

2. The State of BiharOpposite Party.

For the petitioners:- Sri Ram Bilash Yadav, Ld. Advocate.

For the O.P.(State):- Sri Bachcha Rai, Ld. APP.

Order

24.07.2026 The present application for anticipatory bail has been filed on behalf of abovenamed petitioners, who are apprehending their arrest in connection with Jamalpur PS case No. 39 of 2023, for the offences punishable under sections 147, 149, 341, 323, 307, 354, 379, 447, 506, 509 of IPC, which is pending in the Court of Rakesh Kumar Deepak JMFC, Birual, Darbhanga.

Heard Sri Ram Bilash Yadav the Ld. Counsel for the petitioner and Sri Bachcha Rai Ld. Counsel for State.

According to FIR, the petitioners carry allegations of abuse, assault, and outrage the modesty of the informant and also commission of theft.

Ld. Counsel for the petitioner submits that the petitioners are quite innocent and they have not committed any offence. The petitioners have falsely been implicated in this false case. No such occurrence did ever take place as alleged in the FIR. Co-accused persons have already been granted anticipatory bail by the Court of Ld. Sessions Judge, Camp Court, Benipur, Darbhang. The petitioners have not been sent up in the charge-sheet for trial. The Ld. Magistrate has taken cognizance against the petitioners also. The petitioners do not have any criminal antecedents. The petitioners are ladies

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and are law abiding citizen. They are ready to abide by all the conditions as imposed by the Court. Therefore the present petition may be allowed.

On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

Upon considering the rival submissions and on perusal of the materials available on record this court finds that during investigation of this case the police has not found the involvement of petitioners in the present case and accordingly has not sent up in the charge-sheet for trial and mentioned their names in column 12(i) of charge-sheet. After that Ld. Magistrate has taken cognizance against the petitioners also and issued process for obtaining their presence. This court further finds that co-accused Saiful Rahman, Naseema Khatoon, Mojibur Rahman, Chand Babu and Anisoor Rahman have already been granted anticipatory bail by the Court of Ld. Sessions Judge, Camp Court, Benipur, Darbhanga by its order dt. 28.06.2023 passed in ABP No. 276 of 2023. The petitioners are women. Considering the discussions made above, nature of allegation, stage of trial and the fact that co-accused have been granted bail in this case no useful purpose would be served if the petitioners are sent to judicial custody. Under the circumstances the prayer for anticipatory bail of the aforesaid petitioners is **allowed**. The petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each in the event of their arrest by police or surrender before Ld. Court below within a period of three weeks from the receipt of copy of this order in connection with Jamalpur PS case No. 39/23 to the satisfaction of learned Court below subject to the conditions laid down u/s 438(2) of Cr.P.C.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraul

24.07.2026