

In the Court of Sessions Judge, Madhepura.
A.B.P. No. 277 of 2026
(Arising out of Bharrahi P.S. Case No. 221 of 2025)

1. Roksana Parween W/o Md. Ajazuddin @ Md. Ajaz and
2. Bibi Sanjida Khatoon @ Sanjida Khatoon W/o Md. Aslam,
All residents of Madhepura, Ward No. 14, P.S. - Bharrahi, District - Madhepura.
.....Petitioners.

Versus

The State of Bihar.

.....Opposite Party.

05.
23.04.2026

This anticipatory bail application filed under section 482 BNSS on behalf of both the above named petitioners, who are apprehending their arrest in connection with Bharrahi P.S. Case No. 221 of 2025 under sections 126 (2), 115 (1), 118 (1), 110, 303 (2), 352, 351 (2) & (3) and 3 (5) of the B.N.S., is pressed today for hearing.

Heard Md. Ishtiaque Rahmani, learned counsel appearing on behalf of both the above named petitioners and Sri Bibeka Kumar Singh, learned Public Prosecutor appearing on behalf of the State of Bihar.

It is alleged in the First Information Report by the informant Bibi Sohela Khatoon that informant's son Md. Daud has filed a Title Suit No. 456 of 2025 in respect of 79 decimal of land of different plot numbers. It is further alleged that on 08.11.2025 at 11:30 A.M. an unknown tractor driver came to plough the said land and the driver said that he was sent by accused Md. Ajazuddin but informant's son Md. Daud protested. In the meantime, all 23 (twenty three) accused persons named in the F.I.R. including both the above named petitioners being armed with lathi, danda, iron-rod and farsa reached there and accused Rahmatullah assaulted informant's son Md. Daud with farsa on his forehead. It is further alleged that accused Md. Minatullah assaulted with iron rod on the head of informant's son. Accused persons, namely, Md. Anwar and Khusnoor @ Margub assaulted informant's son with legs and fight. When informant's son Md. Isha came to save informant's son Md. Daud then he was also assaulted on his head by accused Md. Minatullah with iron rod. Accused Rahmatullah dashed Md. Isha on the ground and took away his gold chain weighing one Bhari worth rs. 1,20,000/- from his neck and the petitioner Roksana Khatoon took away cash of Rs. 2,000/- from his pocket. Accused Md. Anwar took away ear-bird bluetooth from informant's son. All occurrence has been covered in C.C.T.V. camera of the room of the informant. It is further alleged that all accused persons assaulted to the informant also and when neighbours and villagers reached there then the accused persons fled away with threatening to kill informant's family members if case is lodged. Informant's both sons have been treated in Medical College, Madhepura and out of them informant's son Md. Daud was referred to P.M.C.H., Patna.

Learned defence counsel submitted that the petitioners are innocent and they have committed no offence as alleged in the F.I.R. The petitioners have got no bad antecedent. All sections are bailable except sections 118 (1), 110 and 303 (2) of the B.N.S. but from perusal of F.I.R. and in the facts and circumstances of the case, no offence under sections 118 (1), 110 and 303 (2) of B.N.S. is attracted

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A.B.P. No. 425 of 2026

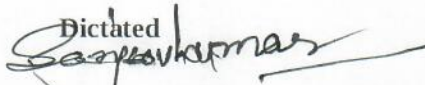
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against the petitioners. Allegation of theft appears to be super addition. There is bonafide land dispute between both the parties and the prosecution party members want to grab the land of the petitioners. The petitioners have been coming in peaceful possession over the land in question. Learned defence counsel submitted that on 08.11.2025 when accused Md. Minatullah and others were going to plough the said land and when they reached near the house of the informant then the informant and his family members committed offence with them for which Bharrahi P.S. Case No. 220 of 2025 under sections 126 (2), 115 (2), 110, 303 (2), 76, 352, 351 (2) & (3) and 3 (5) of the B.N.S. was instituted by accused Md. Minatullah against the informant and his family members and thereafter this malicious false case has been brought with intention to save the neck from that case and to put pressure upon the petitioners and others. The petitioners are ladies.

Learned Public Prosecutor appearing on behalf of the State of Bihar opposed the prayer for anticipatory bail of the petitioners.

Perused the xerox copy of the case diary. It appears that there is admitted land dispute between both the parties. No overt act is attributed against both the above named female petitioners. As per paragraph – 15 of the case diary it appears that all injuries of injured persons have been found simple in nature caused by hard and blunt substance.

Having considered the facts and circumstances of the case, as discussed above, I find that both the above named female petitioners deserve anticipatory bail and accordingly both the female petitioners, namely, Roksana Khatoon and Bibi Sanjida Khatoon @ Sanjida Khatoon are directed to be released on anticipatory bail, in the event of their arrest or surrender before the learned lower court within 15 (fifteen) days from the date of receipt / production of a copy of this order in the learned lower court, on their furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned lower court in connection with Bharrahi P.S. Case No. 221 of 2025.

Dictated

(Sanjeev Kumar - II)
I/C Sessions Judge,
Madhepura.