

In the Court of **Puneet Kumar Garg**, Sessions Judge, Saran at Chapra

Bail Petition No. 314 of 2026 (Jalalpur P.S. Case No. 86/2024)

Sabba Khatun & Anr. V/s State of Bihar

ORDER

S.No.	Date	Contents	Remarks
01	26.03.2026	<p>1. Heard learned counsel representing the petitioners-accused as well as learned Public Prosecutor representing the State on bail petition of petitioners-accused, namely, <i>i. Sabba Khatun and ii. Madina Khatun</i>, who has been in custody since 17.01.2026 in this Jalalpur P.S. Case No. 86/2024, registered under Section 379 of the IPC, pending in the Court of <i>Shri Prashant Tripathi</i>, learned JMFC, Saran at Chapra.</p> <p>2. FIR of this case has been registered on the basis of a written application of the informant, namely, <i>Ramkumar Pandey</i>, stating that on the night of 28.03.2024, unknown thieves stole the idol of Lord Hanuman from the temple. The incident came to light in the morning of 29.03.2024, after which an FIR was made at the local police station.</p> <p>3. Learned counsel appearing on behalf of the petitioners-accused submitted that they are quite innocent and have not committed any offence as alleged in the F.I.R. Next asserted that no ABP or regular bail has been filed on behalf of the petitioners-accused in this Court or Hon'ble High Court, Patna in connection with the present case. The petitioners-accused have been in custody since 17.01.2026. Further contended that the petitioners-accused have got one criminal antecedent <i>vide</i> Gopalganj Town P.S. Case No. 973/2025 except this one. Next contended that the petitioners-accused have falsely been implicated in this case with ulterior motives. Nothing has been recovered from the possession of the petitioners-accused. Next contended that the alleged seizure list against Gopalganj Town P.S. Case No. 973/2025 is false, fabricated and the same has not been prepared at the alleged place of incident. The all witnesses of the alleged seizure list are police officials. Next asserted that the petitioners-accused have been implicated in this due to they are the mother and sister-in-law of co-accused Gudan Sai. Next added that the alleged confessional statement was recorded by the police of their own accord, and the petitioner-accused, Madina Khatun, was falsely implicated forcibly and the allegations made against the petitioners-accused are not true, but rather false and fabricated. Next contended that the true facts are that petitioner-accused, Madina Khatun earns her livelihood through labour work and her daughter-in-law by stitching clothes, and sustains herself with such income. The co-accused, Gudan Sai does not reside in his house, and the allegations regarding his conduct towards his mother and sister-in-law are not true. The petitioners-accused are ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioners-accused may be enlarged on Bail.</p> <p>4. On the other hand, learned Public Prosecutor representing the State vehemently opposed the prayer for bail of the petitioners-accused.</p> <p>5. Heard and perused the case record. On careful consideration of the materials available on record, it appears that the matter is at the</p>	

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	<p>stage of trial and there is no specific and direct allegation of theft against the petitioners-accused. The allegations appear to be general and omnibus in nature so far as the petitioners-accused are concerned. Further, the alleged nature of offence is triable by Magistrate. The petitioners-accused have been in custody since 17.01.2026.</p> <p>6. So, considering the above facts and circumstances of the case, period of custody undergone by the petitioners-accused, the nature of accusation, absence of specific allegation against the petitioners-accused, and the reasons mentioned herein-above, I think it proper to release the petitioners-accused on bail and thereby this Bail Petition, bearing No. 314 of 2026 is hereby allowed.</p> <p>7. Accordingly, the petitioners-accused herein, namely, <i>i. Sabba Khatun</i> and <i>ii. Madina Khatun</i>, are ordered to be released on bail on furnishing bail bond of Rs. 50,000/- <u>each with two sureties</u> of the like amount each to the satisfaction of the learned Court concerned subject to the condition laid down u/s 480(3) of B.N.S.S. :-</p> <p>(I) That the petitioners shall make themselves available for interrogation by I.O. as and when required,</p> <p>(II) That the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the I.O. of the case,</p> <p>(III) That the petitioners shall not leave India without the previous permission of the Court,</p> <p>(IV) That the petitioners are directed to co-operate in trial and disposal of the case.</p> <p>(V) That the <u>Bailor(s)</u> must be the <u>close-relative(s)</u> of the petitioners-accused.</p> <p style="text-align: right;">[Dictated]</p> <p style="text-align: right;">(Puneet Kumar Garg), Sessions Judge, Saran 26.03.2026</p>	