

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5467 of 2025

Shakuntala Devi, aged about 38 years, wife of Sri Raju Pathak,
resident of village – Deo, PO and PS – Deo, District – Aurangabad,
Bihar

.... Petitioner

-- Versus --

- 1.** The State of Jharkhand
- 2.** Aliya Parween @ Babita, aged about 29 years, wife of Md. Alam,
resident of Road No. 7, Bagan Shahi, Mango, PO and PS – Mango,
Town-Jamshedpur, District – East Singhbhum, Jharkhand

.... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	:-	Mr. Shashank Kumar, Advocate
	:-	Mr. Surya Harsh Mishra, Advocate
For the State	:-	Mr. V.S. Sahay, Advocate

02/17.09.2025 Heard learned counsel appearing for the petitioner as well as the
learned counsel appearing for the State.

2. The petitioner is apprehending his arrest in connection with
Complaint Case No.3042 of 2024, for the alleged offences registered
under Sections 308, 316, 318, 352, 97, 137, 351(1), 351(2), 351(3) and
352 of Bharatiya Nyaya Sanhita, 2023 pending in the Court of learned
JMFC, Jamshedpur.

3. Learned counsel appearing for the petitioner submits that the
petitioner happened to be the sister of the informant. He further submits
that for the nature of allegation the informant was required to file the
case under Guardians and Wards Act, 1980. He submits that the
informant is claiming the child, who happened to be the child of this
petitioner and to buttress this argument he refers to Annexure-2 which

the birth certificate wherein it is shown that the petitioner is the mother and name of the father is shown as Raju Pathak. On this ground, he submits that the anticipatory bail may kindly be granted to the petitioner.

4. Learned counsel appearing for the State opposes the prayer and submits that the case is arising out of the complaint case.

5. Looking into the contents of the complaint case and birth certificate it transpires that the petitioner is the mother and Raju Pathak is the father of the child in question the nature of allegation is made of custody of the child and in view of that the learned counsel appearing for the petitioner has rightly pointed out that the informant was required to file the case under the Guardians and Wards Act and the co-accused has been granted anticipatory bail by learned Sessions Judge, I am inclined to provide anticipatory bail to the petitioner.

6. Accordingly, the petitioner, above named, is hereby directed to surrender before the learned Court within three weeks from today, and in the event of his surrender/arrest, the petitioner, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of the like amount each, to the satisfaction of learned JMFC, Jamshedpur in connection with Complaint Case No.3042 of 2024, subject to the conditions as laid down under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

*Dated 17.09.2025
Sangam/*