

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11411 of 2017

Arising Out of PS.Case No. -377 Year- 2016 Thana -RAJAUN District- BANKA

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1. Bishakha Devi @ Bishekha Devi, wife of Late Bikhari Prasad Mandal,
resident of Village- Chaytola, Kaithpura, P.S.- Rasalpur, District-
Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party : Mr. Sri Binod Kumar 2 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 24-04-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in connection
with Rajoun P.S. Case No. 377 2016, registered for the offence
punishable under Section 304 of the Indian Penal Code.

Allegedly, Priyanshu Kumar, the son of the
informant had gone to the school and from school he went to
attend the call of nature in a pond where he died due to drowning.
It is stated that due to closing of lavatory, the son of the informant
went to pond and died and for that the petitioner and co-accused
are responsible.

Submission is of false implication and that the
petitioner has got no concern with the alleged occurrence, without



any permission the son of the informant went to attend the call of nature in pond where he died, no negligence was committed on the part of the petitioner, the petitioner is head mistress of that school and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the gender of the petitioner, she in the event of her arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No. 377 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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