

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5826 of 2019

Arising Out of PS. Case No.-307 Year-2018 Thana- RAJIVNAGAR District- Patna

Khushboo Kumari @ Kumari Khushboo Rani, Daughter of Raj Kumar Priyadarshi, Resident of Mohalla Ashok Nagar, Pokhariya, P.S.- Town Begusarai, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S.N.P.Sinha Mrs.Indu Kumari Sinha

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-04-2019 The petitioner apprehends her arrest in connection with Rajiv Nagar P.S.Case No. 307 of 2018 registered under Sections 120B, 304/34 406,409 and 420 of the Indian penal Code.

Allegation against the petitioner is that inmates of Anumaya Human Resources Foundation, Asara Grih, Nepali Nagar, Patna namely Nautya @ Babli and Punam Bharati died on 10.08.2018 in the night in P.M.C.H., Patna and thereafter an enquiry was conducted by the Magistrate with respect to that and it was found that petitioner was A.N.M. in Asara Grih and it was her duty to provide medicine to inmates, as per prescriptions of doctor, and there was negligence on her part and further on enquiry, it was found that there is misappropriation in



the public money by the Secretary and Treasurer and there was interpolation in the register.

Submission of learned counsel for the petitioner is that admittedly petitioner was A.N.M. and para 59, 60 and 85 of the case diary disclose that she was not present on that day in Asara Grih, she was on leave and she had nothing to do with the affairs of the Asara Grih as such no case is made out under Sections 406,409,420,120B and 304 of the Indian Penal Code and she is ready to abide any condition imposed upon her if she is granted bail.

Heard learned APP also who has opposed the prayer for bail on the ground that petitioner was ANM and her duty was to provide medicine but she was not present there and that shows her negligence.

Having heard both sides and in the facts and circumstances, as stated above, let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Patna or her successor in office in connection with Rajiv Nagar



P.S. Case No. 307 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with condition that she has to co-operate in investigation and shall have to appear before the police as and when required.

(Vinod Kumar Sinha, J)

sujit/-

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