

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62347 of 2019**

Arising Out of PS. Case No.-91 Year-2019 Thana- DUMRA District- Sitamarhi

Soni Kumari, W/o Sri Ashok Rai @ Ashok Kumar, Resident of Village -  
Laxmi Chak M.I.T., P.S.- Brahmpur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                             |
|--------------------------|---|-------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Ajay Kumar Thakur, Advocate<br>Mr. Murli Dhar, Advocate |
| For the Opposite Party/s | : | Mr. Pancha Nand Pandit, APP                                 |

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      01-10-2019                      Heard learned counsel for the petitioner and the  
learned counsel appearing on behalf of the State.

The petitioner is in custody since 02.09.2019 in connection with Durma P.S. Case No.91 of 2019, corresponding to G.R. No.980/2019, registered for the offence under Section 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is one of the A.S.Is. posted at Dumra Police Station and she had been on medical leave up to 05.03.2019. Learned counsel for the petitioner further submits that after return from medical leave on 06.03.2019, the petitioner was placed on first duty from 2:00 P.M. to 10 P.M. and yet she has been implicated in connection with Runnisaidpur P.S. Case No.68 of 2019,



wherein certain accused persons were taken into custody and who were subsequently sent to the hospital for treatment and during the course of treatment, such accused persons died.

The allegation is that it is a case of police atrocities and the petitioner being part of the said Police Station is also involved in the same.

Learned counsel for the petitioner submits that so far as the present petitioner is concerned, she has no role to play and she only came on duty at 2 P.M. on 6.03.2019 whereas the accused persons were sent for medical treatment at Sadar Hospital, Sitamarhi at about 3:00 P.M. where in course of treatment they had died. It is thus submitted that the petitioner, who is a responsible officer, may not be prosecuted and she may be released on bail. Learned counsel for the petitioner further submits that being a responsible officer she will present herself for all future investigations and be present as and when required by the court during the course of trial.

Considering the aforementioned facts and circumstances and in view of the fact that the petitioner had been on leave prior to the date of the alleged occurrence, let the petitioner, above named, be released on bail on her furnishing



bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Chief Judicial Magistrate, Sitamarhi, in connection with Durma P.S. Case No.91 of 2019, corresponding to G.R. No.980/2019.

(Anjana Mishra, J)

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