

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78356 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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Sunita Kumari D/o Rajeshwar Yadav, Resident of Village- Yadav Nagar,
Tiriviya, Police Station- Gopalganj, District-Gopalganj.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the Opposite Party/s : Mr.Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Gopalganj P.S. Case No. 133 of 2019
registered for the offences punishable under Sections 341, 323,
325, 307, 379, 504, 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case. The
petitioner was working in the school as she is a teacher in the
school at the date and time of the occurrence. It is further
submitted that the doctor has not found any external injury on
the body of the deceased and the doctor found the cause of death
due to brain haemorrhage and the allegations of assault are



general and omnibus against the accused persons including this petitioner. Learned counsel further submits that similarly situated co-accused has been granted privilege of anticipatory bail by a learned Co-ordinate Bench of this Court.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, wherein it is the submission of learned counsel for the petitioner that the allegations of assault are general and omnibus against the accused persons including this petitioner and the postmortem report present at Annexure '2' falsifies the allegations inasmuch as it clearly shows that there is no any visible trauma sign on the body and no external injury has been found on the body of the deceased as also that this petitioner is a lady and is serving as a teacher, let the petitioner above named in the event of her arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 133 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person 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 him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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