

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57246 of 2024**

Arising Out of PS. Case No.-106 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Annu Kumari Daughter of Ranjeet Yadav Resident of Village- Masdi, P.S.-  
Sultanganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      24-09-2024              1.    Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2.    The petitioner apprehends her arrest in a case  
registered for the offences punishable under Sections 419, 420  
of the Indian Penal Code and Section 10 of the Bihar Conduct of  
Examination Act.

3.    Learned counsel for the petitioner submits that the  
offences for which the instant FIR has been instituted, carries  
punishment of seven years and less but then the benefit of  
Section 41A of the Cr.P.C was given to the petitioner. It is  
submitted that merely because benefit of Section 41A of the  
Cr.P.C has been given to an accused that in itself does not mean  
that the accused was on police bail rather if the police intended  
that arrest of the accused was necessary for eliciting



information, in that event, the police could have arrested the accused but after following due procedure. It is thus submitted that police during the course of investigation never made any endeavours to arrest the petitioner.

4. It is next submitted that the informant alleges that in the second sitting of the examination of Intermediate, in place of Annu Kumari (petitioner), accused Shilpi sat in the examination and was writing the answer sheet, when she was apprehended.

5. The learned counsel submits that petitioner is a person with clean antecedent and is a student and has been falsely implicated in the instant case by the informant. It is next submitted that petitioner has appeared in both the sitting of the examination. It is also submitted that petitioner is a young girl aged about 20 years and even presuming what had been alleged is true without admitting then it was her first offence and if she is sent to judicial custody, her entire career would get jeopardized and chances are bright that she may come in contact with hardened criminals.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nathnagar (Lalmatiya) P.S. Case No. 106 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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