

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34613 of 2025

Arising Out of PS. Case No.-632 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

Sarika Tiwari @ Sarika Kumari D/o Bipin Tiwari R/o Village- Sawanha, P.S.-
Phulwariya, District- Gopalganj. Presently Residing at Mohalla- Rajeev
Nagar, P.S.- Town Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the State : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection
with Gopalganj Town P.S. Case No. 632 of 2024 for the offence
registered under Sections 126, 115, 109 and 123 of the B.N.S.
lodged on 02.09.2024 by the informant Tejaswi Sharma.

3. As per the prosecution story, the informant alleged
that on a fateful day, upon message received from the petitioner,
he visited her house, served fish and bread. After taking meal,
he had severe pain in the stomach, shifted to Sadar Hospital,
Gopalganj and suspecting poisoning by this lady, the FIR.

4. Learned counsel for the petitioner submits that



earlier she used to work in the school (Gopalganj Public School) of the informant, he being the co-owner, admittedly, he came on his own. There may be other reasons also but only to make her culprit, the FIR. Even the Sessions Court's order says that it is a case of suspected poisoning and not poisoning. She is ready to co-operate in the investigation and face the trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail and submits that the informant was called, served fish whereafter he fell ill and was shifted to hospital.

6. Considering the submissions of the parties as also that according to order of learned Sessions Court, it is a case of suspected poisoning, she is ready to co-operate in the investigation and face the trial, she do not have criminal antecedent, in that background, this Court is inclined to grant her the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Gopalganj Town P.S. Case No.



632 of 2024 subject to condition as laid down under Section 438
(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show is *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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