IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76620 of 2026

CNR No. BRHC011107772026

Arising Out of PS. Case No.-157 Year-2026 Thana- KATIHAR NAGAR District- Katihar

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Sulekha Devi W/o Manoj Mandal R/o Fulhara, PS- Mansahi, Distt- Katihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with Katihar Nagar P.S. Case No. 157 of 2026, registered for the offence punishable under Sections 132, 223,318(4), 3(5) of BNS.

3. The prosecution case, in short is that, petitioner along with others was indulging in corrupt practices of misleading the patients and attempting to take them to private clinic without authorization.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. She has falsely been implicated in the present case. He further submits that the petitioner has falsely been implicated in the present case

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due to local politics and ulterior motive. Learned counsel for the petitioner further submits that the present FIR is lodged only on the basis of suspicion and there is no specific allegation against the petitioner to either misled to the patient or obstructing the scheme provided by the Government. Lastly submits that the petitioner has no criminal antecedent.

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

6. The allegation against the petitioner as it appears from the FIR is that she along with others was indulging in corrupt practices of misleading the patients and attempting to take them to private clinic without authorization. As Asha worker she was expected to provide all help and cooperation to the patients, so that they could take benefits of the public welfare schemes, but instead of doing that, the allegation is that she was indulging in corruption along with others within the hospital premises. However, in the FIR, it has not been alleged that any patient ever come forward to name the petitioner as the one who had misled the patient and attempted to take them to private clinic. The allegation against the petitioner, therefore, remains general without any iota of corroboration by any patient. The petitioner also bears clean antecedent.

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7. Under these circumstances, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

8. Let the petitioner, named above, in the event of her arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Katihar Nagar P.S. Case No. 157 of 2026, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed her criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

Prakash Narayan

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