

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52157 of 2014

Arising Out of PS.Case No. -93 Year- 2014 Thana -MARAUNA District- SUPAUL

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1. Babunand Mandal son of Late Mushaharu Mandal resident of village - Parsauni, P.S. - Marauna, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Dilip Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-03-2015 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 304, 419 and 420 of the I.P.C and section 27 (a) of Drugs and Cosmetic Act, 1940.

Allegedly the petitioner being private practitioner and also used to sell medicine injected expired ODICEF-S injection to the nephew of the informant and thereafter nephew of the informant died.

Submission is that the petitioner is not the doctor nor he has got medicine shop and with false allegation he has been implicated in this case resulting he is suffering in custody since 30.09.2014 and he has no criminal antecedent. The police has not

seized the medicine rather rapper of injection has been handed over by the informant to the police. The witnesses being inimical have supported the allegation. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

As charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to 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 C.J.M. Supaul in Marauna P.S. Case No. 93 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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