

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29342 of 2015

Arising Out of PS.Case No. -146 Year- 2015 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Chanchal Kumar @ Abhijit Kumar S/o Paras Mahto @ Paras Prasad
Resident of Village Jangalia, Ward No. 15, P.S. + District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-07-2015

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 323, 341, 353, 379, 504, 427/34 of the Indian Penal Code and 4 of the Bihar Medical Service Institution and Person Protection Act, 2011.

The prosecution case is that one Baijnath Tiwary was admitted in a critical condition in Sadar Hospital, Gopalganj. Subsequently, during treatment he died. Thereafter, the relatives and associate abused Dr. Ramesh Ram and Compounder Paras Manjhi and started destroying property of hospital. The informant was called from Emergency Ward then son of Late Baijnath Tiwary, Ali Ahmad and Chanchal Kumar abused him and other Doctors and caused injury by assaulting with fist and slaps. It is further alleged that during assault this

petitioner snatched golden chain from the neck of the informant.

It is submitted by the learned counsel for the petitioner that petitioner is a Reporter in the Hindi Newspaper Hindustan since he has published several news items with regard to deficiency in service in Sadar Hospital, Gopalganj, hence, he has been implicated. Moreover, there is no motive alleged against the petitioner to make protest and he is not related to the family of Baijnath, who died during treatment.

Considering the nature of accusation, let the above named petitioner be released on provisional anticipatory bail for nine month in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town P.S. Case No. 146 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The said provisional bail will be confirmed by the learned court below on calling a report from the Superintendent of Police, Gopalganj that this petitioner has not misused the privilege of anticipatory bail.

(Dinesh Kumar Singh, J)

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