

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3156 of 2015

Arising Out of PS.Case No. -505 Year- 2014 Thana -MADHEPURA District- MADHEPURA

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1. Pintoo Yadav Son of Dinanath Yadav Resident of Raibhir, P.S-
Shankarpur, Distt.- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan, Advocate.

For the Opposite Party/s : Mr. Rajendra Singh Shastrijee(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 22-01-2015 Heard both sides.

The petitioner apprehends his arrest in Madhepura
P.S. Case No. 505 of 2014, registered for the offences punishable
under Sections 365 and 34 of the Indian Penal Code.

Deputy Superintendent of Sadar Hospital,
Madhepura alleged that the petitioner and others forcibly took Dr.
Santosh Kumar from the hospital while he was on emergency
duty.

It is submitted that no force was used. Soni Kumari
was hospitalized on account of injury on her head. The doctor
himself referred Soni Kumari to Patna for better treatment in the
neurology department. It is further submitted that the doctor made
statement under Section 164 of the Cr.P.C. on his return and he

did not complain use of force by the petitioner or any other person.

Having considered the facts aforesaid and the fact that the doctor was on emergency duty in the hospital, the petitioner went along with Soni Kumari for treatment, Soni Kumari was admittedly serious and she got head injury but the petitioner and other attendants of Soni Kumari forcibly took the doctor on emergency duty who returned only on the next day, hence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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