

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4158 of 2016

Arising Out of PS.Case No. -223 Year- 2013 Thana -LAKHISARAI District- LAKHISARAI

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Pintu Kumar son of Vishnudeo Mahto resident of Village Bichchway, P.S.
Chanan District Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Mustaque Alam (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 29-01-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections
304/34 of the Indian Penal Code.

The prosecution case is that co-accused
Elaichi Devi took the informant and his wife Hema Devi to the
clinic of Dr. Agrawal where she was operated upon and
subsequently she succumbed. It is alleged against the petitioner
that the petitioner is the Compounder in the said clinic also
examined the victim. The victim was operated upon by Dr.
Agrawal.

It is submitted by learned counsel for the

petitioner that the thrust of accusation is against Dr. Premlata and her husband Dr. Ashwani Agrawal. Moreover, the informant has retracted from the initial version and finding the fact that Dr. Agrawal denied about such kind of surgery, they have been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. Nos. 33795 of 2013 and 35279 of 2013.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya O.P.) P.S. Case No. 223 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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