

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21207 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -GORAUL District- VAISHALI(HAJIPUR)

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Ramji Singh Son of late Ghamandi Singh Resident of Hidyatpur Chakhaji,
PS Gouroul, District Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 24-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Goraul (Kathara O.P.) P. S. Case No. 25 of 2016 registered under
Sections 279 and 326 of the Indian Penal Code.

It is contended that the FIR has been instituted after
inordinate delay of about ten days and there is no plausible
explanation for the delay caused in filing the FIR. It is further
contended that though the petitioner is said to have administered
injection to the daughter of the informant, it is also an admitted
position that the daughter of the informant was subsequently
treated by three other doctors and if there has been some problem

in course of treatment, the petitioner cannot be prosecuted for the offences punishable under Sections 279 and 326 of the Indian Penal Code under which the prosecution case has been instituted.

On the other hand, learned counsel for the State has contended that the petitioner is not a qualified doctor and due to injection administered by him, the daughter of the informant has been suffering since the date of occurrence itself.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in Goraul (Kathara O.P.) P. S. Case No. 25 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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