

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26457 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

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Shyamal Kishor Jha, son of Kameshwar Jha, resident of village Badi
Baigana, P.S. K. Nagar (Maranga), District- Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-06-2016

Heard Sri Bhola Prasad, learned counsel for the

petitioner and Sri Arun Kumar, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in
K.Nagar(Maranga) P.S. Case no.38 of 2016 registered for the
offence under Sections 304, 316/34 of the Indian Penal Code, has
prayed for grant of anticipatory bail.

It was submitted by learned counsel for the
petitioner that on perusal of the F.I.R. itself, it is event that the
informant of the case after receiving complain from his daughter
regarding abdominal pain, he approached the petitioner, who is
medicine shop owner, for providing some medicine and thereafter
he took medicines and petitioner's compounder injected one
injection to the daughter of the informant. Subsequently, she
developed some problem and she was carrying to hospital, but she

died on the way. He submits that on perusal of the F.I.R. it is evident that there is nothing to indicate that the petitioner was in any event responsible for the death of the daughter of the informant.

Learned Addl. Public Prosecutor has opposed the prayer of the petitioner. He submits that the petitioner is named accused in the F.I.R.

Besides hearing learned counsel for the parties, I have also perused the materials available on record. In view of facts and circumstances, particularly in view of the fact that in the F.I.R., the informant has admitted that he had approached the petitioner for providing some medicines, the Court is satisfied that it is a fit case for extending the privilege of anticipatory bail. Let the petitioner, namely, Shyamal Kishor Jha, in the event of his arrest or surrender within six weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K.Nagar(Maranga) P.S.Case no.38/2016, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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