

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57830 of 2015

Arising Out of PS.Case No. -19 Year- 2015 Thana -ROH District- NAWADA

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1. Balmiki Mahto Son of Late Gendo Mahto
 2. Vinod Kumar Son of Balmiki Mahto Both are residents of Village - Rukhi, P.S. - Roh, District - Nawada.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party : Mr. Sadanand Paswan, Spl.APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Roh P.S. Case No. 19 of 2015 for the offences instituted under Sections 304/34 of the IPC and Section 11(v) SC/ST Act.

The prosecution story, in short is that one Lounsi Devi gave the fardbeyan before the concerned police officer and alleging inter alia is that on 11.03.2015 the informant admitted her husband on the instruction of Ravi Kumar in Ashirvad Nursing Home for operation of Harnia. The operation was conducted by Dr. Arvind Raj, BAMS, M.S. Ajampur (UP) and Dr. R.L.Choudhary MBBS, Ranchi. After operation the informant

went home to bring money. In the meantime, no doctor had saw the patient. The informant claimed that her husband died due to negligence on the part of the doctor.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners had given his house on rent to one Dr. Arvind Raj. He has got no concern with the said nursing home.

On behalf of the State, it has been submitted that the petitioners are not named in the F.I.R and their name has come in course of investigation and the offence is under section 304 and other allied Sections of the Indian Penal Code.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Roh P.S. Case No. 19 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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