

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54186 of 2015

Arising Out of PS.Case No. -393 Year- 2015 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Dr. S.k. Shukla alias Saroj Kumar Shukla Son of Sri Bachan Shukla, resident of village- Harpur Siswaria, Police Station- Lauria, District- West Champaran at present 140 Krishi Bazar Road Shivganj, P.S. Shikarpur District- West Champaran.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha No.-2

For the Opposite Party/s : Mr. Indra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 29-01-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Shikarpur P.S. Case No. 393 of 2015 registered for the offences punishable under Sections 304, 419 and 420/34 of the Indian Penal Code.

Allegedly, the petitioner operated Jyoti Devi the wife of the informant at the time of delivery and one baby was born but due to negligence of the petitioner the wife of the informant died.

Submission is of false implication and that the petitioner has not committed any negligence and during course of treatment the wife of the informant died, the informant lodged

this case as after death of his wife he became annoyed but after realizing the truth, he has filed compromise petition in the court below and further during trial the informant has been examined and has not supported the prosecution case as such the petitioner deserves sympathetic consideration to which the learned APP does not dispute.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 393 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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