

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36384 of 2016

Arising Out of PS.Case No. -294 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

Priya Ranjan @ Dr. Priya Ranjan son of Naresh Narayan resident of
Village - Akbarpur, P.S. - Asthawan, District - Nalanda, at present
Naryana Bone Hospital, Khandakpar, P.S. - Bihar, District - Nalanda.
..... Petitioner

Versus

The State of Bihar.

..... Opposite Party

Appearance:

For the Petitioner : Mr. N.K.Agrawal, Sr. Advocate
Mr. Saket Tiwary, Advocate
Mr. Sanjeev Kumar Dubey, Advocate
For the State : Mr. J.K.Singh, APP
For the Opposite Party : Mrs. Deepti Pandey, Advocate
Ms. Rashmi, Advocate
Mr. Shivnandan Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-09-2016 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420 and 304(A) of the Indian Penal Code
registered in connection with Bihar P.S. Case No. 294 of 2016.

3. It is submitted that the petitioner has been falsely
implicated as admittedly the informant's nephew had fallen from
the roof of the house and this was the reason that had resulted in
his death, It is submitted that the offence alleged under Section
304(A) of the Indian Penal Code is bailable and the offence alleged
under Section 420 of the Indian Penal Code is not made out
against the petitioner, who is admittedly a qualified Doctor who
had offered to put plasters on the broken thigh bone of the
informant's nephew, for which Rs. 20,000/- is said to have been
paid.

4. Having regard to the entirety of the facts and circumstances, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, in connection with Bihar P.S. Case No. 294 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(v) That the petitioner shall deposit an amount of Rs. 20,000/- before the learned Court below, which shall abide by the result of the trial and available for withdrawal by OP No. 2.

(Vikash Jain, J)

Chandran/BT

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