

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5701 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -KUTUMBA District- AURANGABAD

1. Prakash Kumar Verma S/o Surendra Prasad Verma, resident of village-
Chilhaki Amba, P.S.- Kutumba, District- Aurangabad (Bihar)

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 16-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Kutumba P.S.
Case No. 02 of 2016 registered for the offences punishable under
Sections 419, 420, 427, 307, 324, 326, 120B of the Indian Penal
Code.

Allegedly, the petitioner cheated the informant in the
name of operation of stone and took Rs. 30,000/-, thereafter, the
informant was operated by the petitioner but her pain did not
subsidized. Thereafter, she was treated at Sadar Hospital,
Aurangabad where she came to know that her liver and intestine
have been damaged.

Submission is of false implication and that the petitioner
has not treated the informant, he holds degree of BAMS from



Darbhanga University, he has got registration from the Civil Surgeon to run the clinic where specialized doctors are available, the informant produced two prescriptions which are of 11.09.2011 and 12.09.2011 in the name of Dr. Jaidev Sinha and Dr. Sudha Kumari of Sarswati Nursing Home, Gaya, informant has lodged this case after much delay only with a view to extract money and as such the petitioner who is suffering in custody since 08.01.2016 deserves sympathetic consideration.

Learned APP opposes the prayer of bail but fairly submits that the two prescriptions produced by the informant are of 11.09.2011 and 12.09.2011 whereas this case has been lodged on 07.01.2016.

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, Aurangabad in connection with Kutumba P.S. Case No. 02 of 2016, 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.

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(Jitendra Mohan Sharma, J)