

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13963 of 2016

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

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Jamadar Mahto S/o Ramji Mahto, resident of Village- Piraunta, P.S.-
Jamhore, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Kutumba P. S. Case No. 02 of 2016 registered under Sections
419, 420, 427, 307, 324, 326 and 120-B of the Indian Penal
Code.

It has been contended by learned counsel for the
petitioner that from perusal of the FIR it would be evident that
the occurrence took place six months prior to the date of
lodging the FIR. The seizure-list would show that the informant
was treated at Saraswati Nursing Home in between 11.09.2011
and 12.09.2011. It would be evident from the prescriptions that

no surgery was performed in the clinic and the informant was referred to PMCH, Patna for surgery. It has been also contended that the petitioner is alleged to be the compounder who has nothing to do with the treatment made by different doctors at different places.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Kutumba P. S. Case No. 2 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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