

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29440 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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1. Dr. Satish Chandra Sinha @ Dr. Satish Chandra Prasad, son of Late Raghunandan Prasad Sinha, resident of Sanjivani Hospital More, Biharsharif, Police Station- Laheri, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.33281 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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1. DR. RATNA SHILA SINHA @ RATAN SHEELA SINHA W/o Dr. Braj Bhushan Sinha R/o Mohalla - Ramchandarpur, P.S. Laheri, P.O. Biharsharif, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.29440 of 2016)

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Nagendra Prasad

(In Cr.Misc. No.33281 of 2016)

For the Petitioner/s : Mr. Shambhu Sharan Sharma

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

6 20-12-2016 Both the above-said petitions arise out of Laheri Muhalla P.S. Case No. 100 of 2016 and accordingly, both the above-said petitions are being heard and disposed of by this common order.



Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Laheri Muhalla P.S. Case No. 100 of 2016 registered under Sections-420, 467, 468, 420/34 of the Indian Penal Code.

Petitioners are doctors and the allegation against them is that they withdrew the government money without conducting any operation under a government scheme.

Learned counsel, appearing in Cr. Misc. No. 29440 of 2016 submits that the petitioner is said to have withdrawn money, showing the operation of Fula Devi but as a matter of fact, the operation of aforesaid Fula Devi had not taken place in Sanjeevani Hospital in which, the petitioner works and as a matter of fact, the operation of aforesaid Fula Devi had been conducted in Gautam Budh Hospital. The aforesaid fact has been supported by Fula Devi in her statement.

Learned counsel, appearing in Cr. Misc. No. 33281 of 2016 submits that the petitioner is said to have withdrawn government money for conducting operation of Deokubda Devi but as a matter of fact, when the aforesaid Deokubda Devi was brought for operation, it was detected that there was swelling into her abdomen and her operation was not done but the amount was



withdrawn from the government treasury as the operation was going to be done. However, after two months, when the said Deokubda Devi was again brought for operation, she refused for the aforesaid operation. It is further submitted that the withdrawn money has already been deposited in government treasury with interest.

Considering the above-said facts and circumstances of the case as well as submission of the parties, both these anticipatory bail petitions are allowed and it is ordered that petitioners named above, in the event of their arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Laheri Muhalla P.S. Case No. 100 of 2016 to the satisfaction of Sri A. K. Das, learned Judicial Magistrate-Ist Class/learned Chief Judicial Magistrate, Nalanda at Bihar Sharif subject to condition as laid down u/S 438(2) of the Code of Criminal Procedure Code.

(Hemant Kumar Srivastava, J)

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