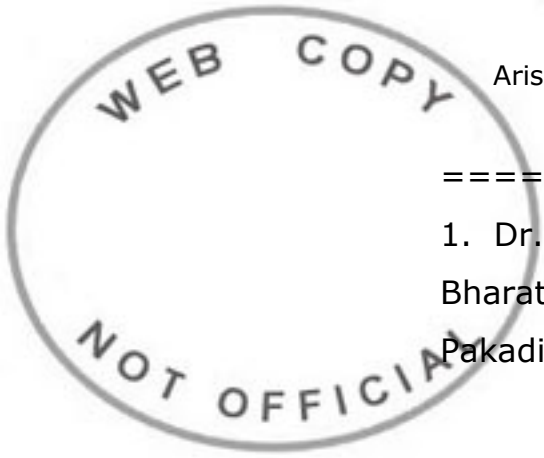




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38548 of 2015

Arising Out of PS.Case No. - 65 Year - 2015 Thana - PAKRIDAYAL
District - EASTCHAMPARAN(MOTIHARI)

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1. Dr. S.S. Thakur @ Dr. Shiv Shankar Thakur, Son of
Bharat Thakur, General Physician and Surgeon, P.S. -
Pakadidayal, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Anant Kumar (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

4 10-02-2016 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

 This application, for grant of anticipatory bail,
arises out of Pakaridayal P.S. Case No.65 of 2015,
disclosing offences under Sections 307, 328, 419, 420,
467 and 468 of the Indian Penal Code.

 The allegation against the petitioner is that
though he was not qualified to undertake any surgery,

he carried out a surgical operation upon the wife of the complainant. The said operation resulted into some complications, and finally the wife of the complainant is said to have completely lost her eye sight.

Learned counsel for the petitioner has submitted that in any event, no offence, under Section 307 of the Indian Penal Code, is made out against the petitioner on the basis of the contents of complaint petition, which is the basis for institution of the First Information Report. He has further submitted that the case has been compromised between the parties.

Be that as it may be, considering the facts and circumstances of the case, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, 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 Sub-Divisional Judicial Magistrate, Sikrahna at Motihari**, in connection with **Pakaridayal P.S. Case No.65 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself/herself before the

police/Court, as the case may be, as and when required and in the event of failure on his/her part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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