

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23955 of 2017

Arising Out of PS.Case No. -27 Year- 2017 Thana -UCHAKAGAON District- GOPALGANJ

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Dr. Mahesh Sharma Son of Sheo Sharma, Resident of Village- Barka Sarkhe, P.S.- Uchkagaon, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

4 19-07-2017 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Uchkagaon P.S. Case No.27 of 2017 registered for the offence under Sections 328, 304, 120 B of the I.P.C. and Section 34(a)(b)(i)(ii) of Bihar Prohibition and Excise Act.

As per the statement made in the petition, petitioner is Homoeopathic doctor. He had prescribed homoeopathic tonic Alfa Alfa to the deceased who after consuming Alfa-Alfa tonic complained about pain in his body and the problem in the eye sight, thereafter he was taken to the hospital where he died.

In sum and substance, the petitioner had only prescribed Alfa-Alfa tonic, which was purchased by the deceased



from Bhuwaneshwar Prasad on the prescription of the petitioner.

Having regard to the facts and circumstances of the case and considering that the petitioner has no criminal antecedent as per the statement made in paragraph 3 of the petition, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of A.C.J.M.-IX, Gopalganj, or successor court, in Uchkagaon P.S. Case No.27 of 2017, subject to the condition that the petitioner will cooperate in conclusion of the trial and will not in any manner tamper with the evidence and influence the witness.

(Anil Kumar Upadhyay, J)

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