

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1581 of 2017

Arising Out of PS.Case No. -237 Year- 2016 Thana -RUPASPUR District- PATNA

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Dr. Kaushal Kumar son of Dr. Suresh Prasad Sah R/o F 204, NTPC Colony,
Phase - 2, Ram Nagri, Ashiana Nagar, P.S. - Rajeev Nagar, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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

ORAL ORDER

3 16-02-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

Informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Rupaspur P.S. Case No.
237 of 2016 for the offence punishable under section 302 of the
I.P.C.

Allegedly, Sri Ram Rai was working as a Guard in the
under construction house of the petitioner and thereafter Sri Ram
Rai died due to hanging. It is alleged that the petitioner used to
torture the deceased and used to cause threats and always took
overtime work from him resulting the petitioner killed him.

Submission is of false implication and that the
petitioner is a respectable doctor working as a Senior Resident,



Department of Surgery, Patna Medical College, Patna and his profession is to save the life instead of taking it, the deceased committed suicide due to family tension, in the postmortem report cause of death has been found by asphyxia due to hanging, no injury has been found on the person of the deceased so the allegation that the deceased was killed by the petitioner is falsified.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that during investigation the witnesses have supported the allegation regarding torturing by the petitioner to the deceased.

In the facts and circumstances as stated above, considering the postmortem report, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a 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 to the satisfaction of. A.C.J.M. Danapur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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