

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12339 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -KHARIK District- BHAGALPUR

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Usha Kumari, Wife of Late Raghu Nandan Prasad Mehta, Resident of Village- Koni Par, P.S. Surajgarha District Lakhisarai, Currently Posted as A.N.M Nurse, in Primary Health Centre, Kharik, District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-03-2017 This is an application for grant of anticipatory bail for offences punishable under Section 304 of the Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that only allegation against her is that due to her negligence and not taking proper care, daughter of the informant died after giving birth of a male child. Annexure-2 series of the petition clearly show that earlier to delivery, petitioner had informed the family members of the deceased that she(patient) is anemic and , as such, they have been advised to take the deceased to N.M.C.H. but they did not agree. Thereafter, after death of the deceased, they created hungama in the hospital.



Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances stated above, let above named petitioner, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Chief Judicial Magistrate, Naugachia, District-Bhagalpur, in connection with Kharik P.S. Case no.76 of 2016 (G.R. No. 540 of 2016), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and also subject to the conditions that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the investigation and make herself available before the police as and when required.

(Vinod Kumar Sinha, J)

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