

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51392 of 2016

Arising Out of PS.Case No. -163 Year- 2016 Thana -KUMARGHAND District- MADHEPURA

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1. Dr. Kaushal Kumar @ Dr. Kaushal Kumar Yadav S/o Ram Narayan Yadav
2. Abha Devi W/o Dr. Kaushal Kumar Both Resident of Village- Sihpur, P.S. Kumar- Khand, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. V. Karandeo Singh, Advocate
Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Smt. Veena Rani Prasadd., APP
For the Informant : Mr. Kumar Kamal Narayan, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-02-2017 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 petitioners.

It has been submitted on behalf of the petitioners that allegation against petitioner no. 1 is that due to his negligence there was profuse bleeding from the body of the deceased and she died in the hospital. So far as petitioner no. 2 is concerned, no such allegation is there but she has been roped in the present case being wife of petitioner no 1. Petitioners are ready to abide by any condition imposed upon them, if they are granted anticipatory bail.



Heard learned A.P.P. also. He has opposed the prayer for anticipatory bail.

Having heard both sides, in view of the fact that petitioner is a doctor and there is no chance of his fleeing away and there is no allegation against petitioner no. 2, let above named petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Kumarkhand P.S. Case no. 163 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. There are other conditions also that bailors should be local having sufficient immovable property within the jurisdiction of the court concerned and petitioners shall cooperate in the investigation and make themselves available before the police as and when required and in the event of failure to attend on two consecutive dates without proper reason, their bail bonds are liable to be cancelled.

(Vinod Kumar Sinha, J)

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