

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57407 of 2017

Arising Out of PS. Case No.-121 Year-2016 Thana- KURSAKANTA District- Araria

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1. Gulab Chand Yadav, S/o Sobit Lal Yadav,
 2. Vikash Kumar @ Vikash Kumar Yadav, S/o Gaurilal Yadav,
 3. Rahul Kumar Yadav S/o Bidyanand Yadav, All are R/o Village- Balchanda, P.S.- Kursakanta, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. SRI SANJAY KUMAR TIWARY 1

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-12-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kursakanta P.S. Case No. 121 of 2016, disclosing offences under Sections 341,323,353,427,504,506/34 of the Indian Penal Code.

The informant is a doctor. It is alleged in the First Information Report that daughter of petitioner No.1 was being treated by him, who despite best efforts, died. Allegedly, the petitioners, who are father and family members of the deceased in retaliation assaulted the informant.

Learned counsel appearing on behalf of the petitioners has submitted that it was because of negligence on the part of the



informant that the deceased died for which on 29.07.2016 itself the petitioners had filed case on the same day of occurrence.

Considering the nature of allegation and genesis of occurrence and facts and circumstances of the case, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Araria in Kursakanta P.S. Case No. 121 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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