

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74851 of 2018

Arising Out of PS. Case No.-194 Year-2018 Thana- DHURAIYA District- Banka

Gyas Khan, Son of Late Rahman Khan, Resident of Village- Baliyas, P.S.-
Dhankund, District- Banka.

... .. Petitioner

Versus

The State of Bihar.

... Opposite Party

Appearance :

For the Petitioner : Mr. Dharendra Kumar, Advocate

For the Opposite Party : Anita Kumari Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Petitioner apprehends arrest in a case registered for
offence under sections 147, 341, 323, 353, 504 and 506 Indian
Penal Code.

It is submitted on behalf of the petitioner that the
nature of allegation itself suggest that there was a crowd of 40 to
50 people at the time of occurrence. There is no specific
allegation against the petitioner and that he has been falsely
implicated in this case on the basis of extraneous consideration
so as to overcome the lapses committed by the doctor and the
Primary Health Center due to which petitioner's son died. Prior
to the instant case, there is no criminal antecedent of the
petitioner.

In the facts of the case, prayer for anticipatory bail to



the petitioner is allowed. In the event of arrest/surrender within a period of four weeks from today, let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate Banka in Dhuraiya Police Station Case No. 194 of 2018 on the following conditions:-

One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he/she is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner and

The Petitioner will be well represented on each date and if he/she fails to do so on two consecutive dates, his/her bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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