

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9620 of 2018

Arising Out of PS.Case No. -162 Year- 2017 Thana -LAKHNAUR District- MADHUBANI

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1. Sanjay Kumar @ Sanjay Kumar Mandal S/o Ramkhelavan Mandal, R/o Village- Kaithiniya, P.S.- R.S. Shivar (Madhepur0, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Lakhnaur (R.S. O.P.) P.S.Case No.162 of 2017 dated 29.08.2017, G.R.No.1299, registered for offences punishable under Sections 304/34 of the Indian Penal Code.

Allegation against the petitioner is that in spite of the objection of the informant, they have operated upon the daughter-in-law of the informant and sent her to some other hospital and she died later on.

Submission of the learned counsel for the petitioner is that the petitioner has not been operated upon the lady and the other co-accused persons who was Doctor has been granted privilege of the anticipatory bail by this Court, vide order dated 27.2.2018



passed in Cr. Misc. No.10737 of 2018

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Jhanjharpur under District Madhubani in connection with Lakhnaur (R.S. O.P.) P.S.Case No.162 of 2017 dated 29.08.2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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