

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49200 of 2018

Arising Out of PS. Case No.-197 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Urmila Devi, W/o Girija Sharma,
2. Girja Sharma S/o late Deep Dayan Sharma, Both R/o Vill.-
Siyari, P.S.- Konch, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Devi W/o Sri Dayanand Sharma, R/o Vill.- Bagdiha, P.S.- Guraru,
District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-09-2018 Heard learned counsel for petitioners, learned counsel
for the State and learned counsel for the informant.

The petitioner, who is in custody, seeks bail in connection with Complaint Case No. 197 of 2017 (Tr. No. 1534 of 2018) registered for the offences punishable under Sections 323, 368 and 379/34 of the Indian Penal Code.

Informant has stated in her written complaint that on 16.08.2010 at about 7:00 P.M. when she was admitted in Dr. Jaydev Singh Nursing Home at Vishnupad, Gaya where she gave birth to a male child thereafter compounder of the said clinic exchanged her new born baby with a newly born dead baby and handed over his new born baby to the petitioners in



Rs. 1,00,000/-.

It has been submitted on behalf of the petitioner that they are innocent and have been falsely implicated in this case. They have adopted the child and main culprit is compounder (Luv Kush Kumar) who has been granted bail by a co-ordinate Bench of this Court passed in Cr. Misc. No. 48635 of 2018 vide order dated 09.08.2018. Petitioners have no criminal antecedent and they are in custody since 08.05.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the facts and circumstances of the case, let above named petitioners be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Complaint Case No. 197 of 2017.

(S. Kumar, J)

veena/manoj-

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