

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61961 of 2018

Arising Out of PS. Case No.-593 Year-2017 Thana- KOTWALI District- Patna

Dr. Ganpat Mandal @ Ganpat Mandal son of Late Kappori Mandal, Resident of Flat no. 306, Surya Laxmi Enclave beside Rupaspur Thana, Prayadarshi Nagar, P.S. Rupaspur, Bailey Road, Patna- 80153, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanhaiya Prasad Singh, Sr. Adv.
Mr. Pratik Mishra
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-10-2018 Heard learned Senior Counsel for the petitioner, learned Counsel appearing on behalf of the informant and learned Additional Public Prosecutor for the State.

This application, for grant of bail, arises out of Patna Kotwali Police Station Case No. 593 of 2017, disclosing offences under Sections 471/418/419/420/467/468/471/120B of the Indian Penal Code.

The gist of allegation against the petitioner is that he had induced the informant to pay illegal money for her admission in MBBS course through backdoor.



Mr. Kanhaiya Prasad Singh, learned Senior Counsel, appearing on behalf of the petitioner, has relied on a decision of this Court, in the case of **Ashotush Mishra @ Chhote Mishra and Another vs. The State of Bihar and Another**, reported in **2017 (3) PLJR 152**, to contend that in similar circumstance, this Court quashed the entire prosecution itself on the ground that the complainant/informant could not have any protection of law once he/she himself/herself attempted to get backdoor entry by adopting illegal means.

The petitioner is an MBBS doctor, working under the State Government, said to be presently posted at Fatuha.

Learned Senior Counsel contends that the petitioner being a Government servant, this is unlikely that he will be fleeing from the course of investigation or trial if released on bail.

Considering the submission, as above, this application is allowed.

Let the petitioner, Dr. Ganpat Mandal @ Ganpat Mandal, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Patna Kotwali Police Station Case No.



593 of 2017.

(Chakradhari Sharan Singh, J.)

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