

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4964 of 2018

Arising Out of PS.Case No. -202 Year- 2016 Thana -PIRPAINTI District- BHAGALPUR

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1. Pintu Mandal @ Niranjan Kumar Mandal @ Niranjan Mandal S/o Late
Gopal Mandal, R/o Village- Mautola, P.S.- Pirpainty, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Singh, Adv

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 11-04-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341,323,324,504 and
307 of the Indian Penal Code.

Allegation against the petitioner is that he gave a
dagger blow at the stomach of the informant. Opinion
regarding injury was initially reserved by the Doctor and
subsequently a report has been sent that since patient left
the hospital, opinion could not be given. It is surprising that
after examination of the injury, opinion could be given only
on availability of the patient and it is also surprising as to
why the final opinion was not recorded till the patient was
available in the hospital. Hence, the Secretary, Health is
directed to take appropriate action against the erring officer
after identifying him who had examined the injured in
connection with Pirpainty P.S.Case No.202 of 2016. Send the
order alongwith a copy of the medical report to the Principal



Secretary, Department of Health, Govt. of Bihar for compliance and report.

Petitioner is in custody since 25.09.2017.

Considering the nature of allegation and material available, let the petitioner, above named, be released on bail **on completion of one year of custody, if the trial is not concluded in the meantime** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Pirpainty P.S.Case No.202 of 2016, subject to the condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Accordingly, this application stands disposed of.

(Birendra Kumar, J)

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