

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7790 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- UJIYARPUR District- Samastipur

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Rakesh Raut @ Rakesh Son of Sita Ram Rai @ Sita Ram Raut @ Dukhan Raut Resident of Village- Mahthi Pachpaika, P.S. Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 304 of the Indian Penal Code.

The prosecution case, in brief, is that the petitioner, in course of treatment of the informant's nephew, injected him and resultantly, he died.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. From the postmortem report, it is evident that there was no injury on the body of the deceased. The informant has retracted from his



earlier statement and filed a compromise petition in the court below vide annexure-3 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dalsingsarai, Samastipur in connection with Ujiyarpur P.S. Case No. 219 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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