

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19819 of 2019

Arising Out of PS. Case No.-83 Year-2018 Thana- KATRAHA District- Vaishali

TARKESHWAR SAHNI Son of Fudeni Sahni Resident of Village - Patepur,
P.S.- Kartahan, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Kartaha P.S. Case No. 83 of 2018 registered for the
offence punishable under Sections 302, 406, 420/34 of the
Indian Penal Code.

Informant has alleged that when his son was being
taken to hospital, petitioner told him that he will treat his son
and administered an injection, as a result of which he died.
Petitioner is neither a doctor nor a compounder and as such has
no authority to inject or treat the son of informant.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has been falsely implicated in this
case. There has been undue delay in institution of complaint



case. The incident is of 08.09.2018 and complaint was filed on 28.11.2018.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of custody the petitioner would be enlarge on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Vth, Vaishali, Hajipur, in connection with Kartaha P.S. Case No. 83 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in



that case, prosecution will be at liberty to
move for cancellation of bail of the
petitioner.

(S. Kumar, J)

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