

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80803 of 2018

Arising Out of PS. Case No.-307 Year-2018 Thana- RAJIVNAGAR District- Patna

Chirantan Kumar S/o Sri Prem Nath Das Village - House no. 37, Near
Manorma Apartment, Anandpuri Boring Canal Rd., Permanent resident
Piprahi (Piprakothi), Po and Ps - Raghapur, distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Jha

For the Opposite Party/s : Mr.Sri Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 15-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Rajiv
Nagar P.S. Case No. 307 of 2018 registered under Sections 420,
406, 409, 304/34 & 120-B of the Indian Penal Code.

Two inmates of shelter Home, of which petitioner is
the Secretary and Manish Dayal @ Manisha is the Treasurer
and doctor Anshuman Priyadarshi and nurse Khusboo Kumari
were deputed for treatment of inmates of the aforesaid home are
said to have died due to negligence and not providing adequate
medical treatment to them and got them admitted in PMCH in
time. Petitioner is said to have defalcated the government coffer
allotted to the aforesaid shelter home for its running.



It is submitted by the learned counsel for the petitioner that petitioner is quite innocent. He happens to be Secretary of the shelter home and he has deputed Manish Dayal @ Manisha as Treasurer and Incharge of the shelter home to look after and take care of its inmates. He has also deputed Dr. Anshuman Priyadarshi and A.N.M. Khusboo Kumari for treatment of inmates. Two inmates, namely, Babli and Poonam were suffering from diarrhea and they were accorded adequate treatment by the aforesaid doctor in the shelter home itself and later on they were rushed to PMCH but they succumbed to the ailment unfortunately. Petitioner has no latches in the death of the aforesaid inmates. He has also not committed any negligence in their treatment. He has also not committed any defalcation of the government money. There is neither any specific allegation or any report of competent authority regarding alleged defalcation by the petitioner. Petitioner has been languishing in custody since 13.08.2018. Moreover, said Manisha Dayal, Treasurer of the said shelter home has been enlarged on bail by co-ordinate Bench of this Court vide order dated 14.12.2018 passed in Cri. Misc. No. 75085 of 2018.

On the other hand learned APP opposed the bail prayer of the petitioner.



In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. III, Patna in connection with Rajiv Nagar P.S. Case No. 307 of 2018.

(Prakash Chandra Jaiswal, J)

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