

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38765 of 2019

Arising Out of PS. Case No.-83 Year-2018 Thana- MAHILA P.S District- Supaul

DR. BIMALA SINGH @ BIMALA SINGH Daughter of Mahendra Prasad Singh and wife of Darveshwar Das Resident of - Ward No. 12, Jiyaram, P.S.- Raghapur, District- Supaul. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. M. S. Msihra

For the Opposite Party/s : Dr. (Mrs.) Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Supaul Mahila P.S. Case No. 83 of 2018 for the offence punishable under Sections 312, 313 and 120(B) of the Indian Penal Code.

The petitioner is professionally qualified doctor, as has been asserted on her behalf. It is alleged that she, with the aid of others, was attempting to cause a minor, who was victim of rape and had become pregnant, to miscarry.

Learned counsel appearing on behalf of the petitioner has submitted that a false case has been registered just to malign the petitioner, for ulterior purpose to adversely affect her practice. It has also been argued that even if the allegation contained in the First Information Report is treated to be correct, a case of preparation of commission of offence is made out.



On perusal of the First Information Report, I am, *prima facie*, satisfied with the submission advanced on behalf of the petitioner.

This application is accordingly allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned Additional District and Sessions Judge-1st, Supaul, in Supaul Mahila P.S. Case No. 83 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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