

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67579 of 2018

Arising Out of PS. Case No.-292 Year-2017 Thana- HARSIDHI District- East Champaran

Chandan Kumar, Son of Gangandeo Sahani, Resident of Village- Dhekaha
Bishunpur, Police Station- Piprakothi, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-01-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 31.08.2018 in a case registered for the offences punishable under Sections 304 and 316/34 of the IPC.

The prosecution case, as per the written report of Balwant Sahni, dated 19.07.2017, submitted to the Station House Officer, Harsidhi Police Station, is to the effect that on the same day, the informant was taking his wife, Lalita Devi to Bettiah to get her treated, since she was expecting a child, but on the way, he met with the petitioner, who offered him for his wife's treatment in



his hospital and took the informant's wife to his hospital, where some injection was given to the wife of the informant and consequently, the wife of the informant died.

It is submitted by learned counsel for the petitioner that the petitioner is not the doctor and the wife of the informant was never been treated by the petitioner. The clinic, where the wife of the informant was being treated, actually belongs to one Dr. Jawed. It is further submitted that the informant has subsequently retracted from his initial version and filed a petition to that effect before the learned court below. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the informant submits that he is not opposing the prayer for bail of the petitioner since the informant admits that the present case has been filed under some misconception.

Considering the present stand of the informant and the period under custody, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned CJM, East Champaran at Motihari in
connection with Harsidhi P.S. Case No. 292 of 2017.

(Dinesh Kumar Singh, J)

Amrendra/-

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