

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73592 of 2018

Arising Out of PS. Case No.-270 Year-2016 Thana- KOTWALI District- Patna

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Amit Kumar @ Bachcha Roy Son of Rajdeo Roy, Resident of Village-
Kiratpur Rajaram, P.O.P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. The Vigilance Cabinet, Govt. of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Ajay Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-01-2019 Heard the Parties.

On merit prayer for bail to the petitioner in connection with Patna Kotwali P.S. Case No. 270/2016 corresponding to Special Case No. 32/2016 has already been refused upto the Hon'ble Supreme Court. The latest order of the Hon'ble Supreme Court is dated 28.08.2018 passed in S.L.P. (Cri.) No. 6828/2018 which is being reproduced below:-

“Heard the learned senior counsel appearing for the petitioner.

We are not inclined to interfere with the impugned order passed by the High Court of Judicature at Patna.

The Special Leave Petition is, accordingly, dismissed.

Pending applications filed in the matter also stand disposed of.



However, learned senior submits that the petitioner is suffering from some serious ailments and he is not keeping good health.

If that is so, the petitioner is at liberty to move the High Court with relevant medical record and the said Court is requested to consider the same on its own merits and in accordance with law.”

The aforesaid order would reveal that submission of the learned senior counsel before the Supreme Court was that the petitioner is suffering from serious ailments, in that circumstance, liberty was given to move before the High Court with relevant medical record and this court was to consider the same on its own merit and in accordance with law.

Annexure-4 series are Medical Prescriptions and Pathological Report issued of the Jail hospital Beur and Patna Medical College Hospital (P.M.C.H.), Patna. The treatment started from 20.08.2016, which continued in the year 2017-18 also. By Supplementary Affidavit, it has been brought on record, the Medical Prescription of P.M.C.H. dated 13.12.2018 which shows that the petitioner is suffering from acute Blood Sugar. He has been given soluble Human Insulin and N.P.H. Insulin. The Doctor has advised that if Blood Sugar does not come to the desired level then he may be sent to other Centres. The Pathological Report would reveal that Glucose (Fasting) is 585



mg/dl against the normal range of 70-110 mg/dl. Creatinine was 1.9 mg/dl on 27.12.2018 and 2.3 mg/dl on 08.01.2019. The petitioner has been referred to Nephrology Department for treatment.

Considering the ailment of the petitioner, let the petitioner above-named be released on bail for three months effective from the date of release for getting treatment at the desired place, on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Vigilance Ist, Patna in connection with Patna Kotwali P.S. Case No. 270/2016 corresponding to Special Case No. 32/2016, and thereafter the petitioner shall surrender before the court below. Due to bail to the petitioner progress of trial should not hamper.

(Birendra Kumar, J)

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