

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43839 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- SUPAUL District- Supaul

DR. SMT. SHILA RANA @ DR. SHILA KUMARI RANA, Wife of Dr. Manoj Kumar @ Manoj Kumar Sharma Mery Gold Rounak Raj Hospital, Chakala Nirmali, P.S.- Supaul, District- Supaul.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-07-2019 Petitioner seeks bail in anticipation of her arrest in connection with Supaul P.S. Case No. 36 of 2019 registered for the offences punishable under Sections 402, 120B of the Indian Penal Code and Sections 18 and 19 of Human Organ Transplantation Act, 1994.

Prosecution story is that informant has admitted his wife to the clinic of the petitioner for delivery, where ultra sound of whole abdomen was done that shows that she had both kidney but after delivery she was feeling pain in her abdomen and again her ultra sound was done and it was found that one kidney is missing and as such it is alleged that petitioner has removed one kidney. Further allegation is that petitioner possesses forged medical certificate and her clinic is not



registered.

Submission of learned counsel for the petitioner is that impugned order itself shows that Medical Board was constituted for examination of wife of informant but she did not appear before the Medical Board to get her examined and as such the basis of the allegation appears to be false and moreover the petitioner has valid certificate and she is ready to co-operate in the investigation.

Heard learned APP also.

In view of above facts and circumstances, let petitioner surrender in the court below and on surrender she shall be released on provisional bail till submission of charge sheet on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No. 36 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned and further condition is that petitioner has to appear before the Investigating Officer and produce her certificate and other documents, who will examine



the same and in spite of that if case is found true against the petitioner and charge sheet is submitted against her, she has to surrender and pray for regular bail, which shall be considered on the basis of the materials available on the record at that time.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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