

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4420 of 2018

Arising Out of PS. Case No.-45 Year-2018 Thana- SC/ST District- Patna

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1. Murli Manohar Mishra @ Murli Manohar
 2. Suraj Kumar Both Sons of Shri Lal Mohan Mishra
 3. Ramawati Devi Wife of Kanhaiya Mishra All resident of Village- Babhanpura, P.S. Phulwari Sharif, Distt. Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Deepak Kumar
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 17-01-2019

The appellants seek pre arrest bail in connection with SC/ST P.S. Case No. 45 of 2018 (Special Case No. 499/18), registered for offences punishable under Sections 147, 148, 341, 448, 323, 379, 354, 504 and 506 of the Indian Penal Code and Section 3 (1)(r)(w)(h) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act.

Allegation as per F.I.R. is that they abused the informant, who is working as dai in MAA hospital, by caste name, as two days back, she had refused to admit the wife of appellant no. 1 for her delivery.

It has been submitted on behalf of the appellants that as a matter of fact that due to negligent treatment of the hospital, the child died and for that the appellants have also made complaint



before the concerned Civil Surgeon and also lodged a case against the doctor and other staffs of the hospital and due to which, this present false case has been filed as a counterblast and no occurrence as alleged by the informant has ever taken place.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts, let the appellants, above named, in the event of their arrest or surrender before the Court below, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge -IV – cum- Special Judge SC/ST Act, Patna, in connection with SC/ST P.S. Case No. 45 of 2018 (Special Case No. 499/18), subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Accordingly, this appeal is allowed and impugned order is set aside.

(Vinod Kumar Sinha, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

