

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66575 of 2019

Arising Out of PS. Case No.-1269 Year-2018 Thana- PURNIA COMPLAINT CASE District-
Purnia

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DR. BIMAL KUMAR SAHA @ DR. BIMAL KUMAR @ DR. B.K. SAHA
Son of Late Santosh Kumar Saha M.D., Radiodiagnosis, K.K. Hospital,
Purnea, P.S.- K. Hat, District- Purnea, Presently residing at 65, Karunamoyee
Ghat Road, Karunamoyee Apartment Flat No.202, 2nd Floor, Jorapukur, P.O.-
Haridevpur, Kolkata-700082.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Satyendra Kumwar Son of Indeshwari Kunwar Resident of Village-
Makhnaha, Ward No.12, P.S.- Banmankhi, District- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Binod Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 07-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case bearing C.A. No.1269 of 2018 registered
under Sections 467, 468, 471, 420, 120(B) of the Indian Penal
Code.

The accusation is that Neeraj Kunwar and
Kusheshwar Kumar are the relatives of the opposite party no.2.
Neeraj Kumar wanted to make the physical relation with the
daughter of the opposite party no.2, which was refused by her,



due to that reason, Neeraj Kunwar and Kusheshwar Kunwar, due to fear that the daughter of the opposite party no.2 may lodge a case against them, orchestrated a story and Kusheshwar Kunwar lodged a false case bearing Banmankhi P.S. Case No.9 of 2018 against opposite party no.2 and others by preparing the forged C.T. Scan report by the petitioner and one Dr. Roshan Kumar, showing the fracture in right temporal bone of Neeraj Kumar. In course of investigation of that case, the Investigating Agency and the S.P., Purnea, smelled some foul play with regard to the above stated C.T. Scan report and sent the same for examination to the Civil Surgeon, Purnea, where the Medical Board was constituted and the above stated C.T. Scan report of Neeraj Kumar was doubted. Thereafter, the S.P. Purnea, for finding final opinion, sent the C.T. Scan report of Neeraj Kumar to Jawahar Lal Nehru Medical College and Hospital, Bhagalpur, where the Radiologist found no obvious bony fracture or intraparenchymal contusion on the C.T. Scan report of Niraj Kunwar. As such, Niraj Kunwar and Kusheshwar Kunwar in collusion with the petitioner and one Dr. Roshan Kumar got prepared the forged C.T. Scan report in respect of the injury sustained by Niraj Kunwar.

Learned counsel for the petitioner submits that while



it is alleged in the complaint petition that the C.T. Scan report of Niraj Kunwar said to be found forged but after investigation, the police submitted the chargesheet in Banmankhi P.S. Case No.9 of 2018 against the opposite party no.2 and others on 15.04.2018. The petitioner and one Dr. Roshan Kumar have falsely been implicated in this case by the opposite party no.2 with an ulterior motive. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, in connection with Complaint Case bearing C.A. No.1269 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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