

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73132 of 2019

Arising Out of PS. Case No.-89 Year-2018 Thana- CHAUTHAM District- Khagaria

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MITHILESH SAH @ MITHLESH SAH Son of Prakash Sah Resident of
Village - Hardiya, P.S.- Chautham, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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

ORAL ORDER

2 21-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Chautham P.S. Case No. 89 of 2018 registered under Sections
419, 338 and 307 of the Indian Penal Code.

The accusation is that before two months, Jawahar
Paswan, husband of informant Jhamia Devi, became ill and he
was treated by petitioner. In that course the petitioner injected
the medicine in the waist and stomach, but, there was no
improvement. The informant, Jhamia Devi, accompanied her
husband, Jawahar Paswan, to Begusarai where the doctor
informed that due to wrong medicine injected to her husband,
his condition is so poor and his condition is not being improved.
Thereafter, Panchayati was arranged but petitioner was not
ready to follow the decision of Panchayat, while she had spent
Rs.7000/- in the treatment of her husband.



Submission is that due to misunderstanding the informant has lodged the present case, but, later on dispute was settled and thereafter the informant filed the petition of compromise in the Court of the Additional Sessions Judge, III, Khagaria, at the time of disposal of prayer of pre-arrest bail of the petitioner through A.B.P. No. 832 of 2019, which will appear from Annexure 2.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Chautham P.S. Case No. 89 of 2018 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Satish Mani Tripathi, Judicial Magistrate, 1st Class, Khagaria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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