

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7517 of 2020**

Arising Out of PS. Case No.-27 Year-2019 Thana- MADHWAPUR District- Madhubani

SONAKSHI KUMARI D/o Shivkumar Mahto Resident of Village-Pipraun,
P.S.-Harlakhi, District-Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Murari Narayan Choudhary, Advocate Mr. Vijay Kumar, Advocate
For the Opposite Party/s	:	Mr.Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 03-07-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner apprehends arrest in Madhwapur PS Case No. 27 of 2019 registered under Section 304/34 of the IPC.

The FIR has been lodged alleging that daughter of the informant died while giving birth to a child in the Nursing Home.

It is submitted by learned Counsel for the petitioner that the petitioner has been made accused as Dr. Sonakshi Kumari, though the petitioner is not a doctor and has no concern with the Nursing Home where the death has taken place. The other co-accused doctors have been allowed anticipatory bail. Only one co-accused, Surendra Kumar (Compounder), who was arrested from the Nursing Home



was subsequently released on bail. Submission is of false implication. Copy of the compromise petition is also on record of the application.

Learned APP for the State has opposed the prayer for anticipatory bail. It is submitted that petitioner is a named accused.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

Accordingly, let the petitioner above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Benipatti in Madhwapur PS Case No. 27 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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