

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9643 of 2020

Arising Out of PS. Case No.-177 Year-2019 Thana- DHANAHA District- West Champaran

GUDIYA DEVI D/o Vijay Dubey @ Vijay Prakash Dubey R/o Village-
Tamkua, P.S.- Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-09-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in Dhanaha
P.S. Case No. 177 of 2019 registered for the offences
punishable under Section 302/34 of the Indian Penal Code
pending in the Court of learned S.D.J.M., Bettiah, West
Champaran.

The informant's daughter was five months
pregnant. On 21.10.2019 at about 7 PM one Gudiya Devi
came and told that we should go to Dr. Manjar Alam and she
will be cured from all health issues. After reaching to the
clinic , Dr. Manjar Alam started treatment. Till 22.10.2019
evening the condition of informant's daughter was goo, but



after that she stopped talking and started hiccup. After that informant took her daughter to a Hospital in Kushinagar where she was declared to be dead.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that petitioner is neither a doctor nor she has done any treatment of informant's daughter nor even she is connected with alleged health centre in any manner. It is also submitted that both the parties to the case have compromised the matter. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that from perusal of the case diary it appears that many eye-witnesses have supported the case against the petitioner, hence she does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek



regular bail and the learned Court below would pass order in
accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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