

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82943 of 2019

Arising Out of PS. Case No.-146 Year-2019 Thana- IMAMGANJ District- Gaya

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AJAY PRASAD Son of Late Radhey Prasad @ Radhey Mahto Resident of
Village - Raniganj, P.S.- Imamganj, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mr.Ramashish
For the Opposite Party/s :		Ms.Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 24-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Imamganj P.S. Case No. 146 of 2019, disclosing the offence under Sections 304, 420, 506 of the Indian Penal Code.

The gist of allegation in the FIR is that though co-accused Ram Lakhan Prasad did not have any qualification, he was running a clinic and induced the informant to get delivery of baby of the informant's pregnant wife, done in his clinic. The informant's wife died in that course. The petitioner is brother of the said Dr. Ram Lakhan Prasad. It is alleged in the FIR that after the informant's wife died, he persuaded the informant to get the issue compromised.

Learned counsel appearing on behalf of the petitioner has submitted that main allegation is against co-accused Dr.



Ram Lakhan Prasad and there is no allegation against this petitioner of having even persuaded the informant to get any operation or procedure done in the clinic in question.

Learned counsel appearing on behalf of the informant has vehemently opposed the prayer for anticipatory bail.

However, considering the nature of allegation against this petitioner, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, 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 learned Judicial Magistrate-1st Class, Sherghati in Imamganj P.S. Case No. 146 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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