

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16908 of 2021

Arising Out of PS. Case No.-314 Year-2020 Thana- BIHPUR District- Bhagalpur

ANIL SAH @ BABA Son of Late Mohan Sah Resident of Village - Marwa,
P.S.- Bihpur (Jhandapur), Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that his brother, in course of being treated by Anil Sah @ Baba, the petitioner herein, who is a quack, died in course of treatment .

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From the contents of the FIR together with the further statement of the informant recorded in course of investigation, the facts not in dispute are that it was the informant who had taken his brother to the petitioner who does the treatment through ‘*jhar-fook*’ and not only the informant but he along with his sister and mother were also present when the petitioner was giving treatment and in course of which it is stated that the brother of the informant died. It is submitted that no case under section



302 of the IPC will be made out against the petitioner who is in custody since 18.8.2020 and has no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the materials that has transpired in course of investigation and the period in custody, the Court directs the petitioner to be enlarged on bail in connection with Bihpur (Jhandapur) P.S. Case no. 314 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Naugachia, District Bhagalpur.

(Partha Sarthy, J)

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