

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17536 of 2021

Arising Out of PS. Case No.-223 Year-2020 Thana- BAKHTIYARPUR District- Patna

1. Awadh Bihari Chakravarti @ Avinash Chakravarty @ Dr. Avinash Chakravarty Son of Sri Ram Vilas Prasad Resident of Mohalla- Purani Bypass, Town and P.S.- Bakhtiyarpur, District- Patna.
2. Prabha Sinha @ Dr. Prabha Sinha Wife of Sri Awadh Bihari Chakravarti Resident of Mohalla- Purani Bypass, Town and P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshansh Ankit
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-02-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 304/34 of the Indian Penal Code.

It is alleged by the informant that he admitted his sister-in-law in the clinic of the petitioners for normal delivery but the petitioners, out of greed, operated her, as a result of which, the newly born baby and the mother became serious. It is further alleged that when the patients became serious, they were referred the patients to Patna but on way, both the newly born child and the daughter-in-law of the informant died.



It is submitted by learned counsel for the petitioners that petitioner No. 1 is Director of Prabha Bharti Nursing Home whereas petitioner No. 2 is a housewife. The Nursing Home was closed since March, 2020 due to pandemic COVID-19. It is also submitted that in order to extract money from the petitioners, this false case has been lodged by the informant.

From perusal of the case diary as well as the F.I.R, it appears that due to the negligence of the petitioners, the infant baby and the sister-in-law of the informant died. The witnesses have also supported the prosecution case as gets reflected after perusal of the case diary.

In the facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

The prayer for grant of anticipatory bail to the petitioners stands rejected.

(Sunil Kumar Panwar, J)

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