

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27944 of 2022

Arising Out of PS. Case No.-432 Year-2021 Thana- HISUWA District- Nawada

REKHA DEVI @ REKHA KUMARI W/o Munnilal Rajvanshi @ Dr. M. Raj
R/o village- Manjhwey, P.S.- Hisua, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Y.C. Verma, Sr. Adv.

Mr.Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-11-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehends her arrest in connection with Hisua P.S. Case No.432/2021, registered for the offence punishable u/s 302/120B read with section 34 of the IPC.

The prosecution case in short is that, due to pain in abdomen of informant's son, informant took him to the clinic of Dr. Munnilal Rajvanshi, where the Doctor and his wife Dr. Rekha Devi (petitioner) suggested for appendix operation. Thereafter, operation was done but still the son of informant could not recover and the accused Doctor advised to go to Patna for better treatment. In course of treatment in Patna, the son of informant died on 01.08.2021.

It is submitted by learned senior counsel for the petitioner



that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case due to ulterior motive. Petitioner has no criminal antecedent. There is no specific allegation against the petitioner rather the allegation is general and omnibus in nature. She has been made accused in this case as she is the wife of Dr. Munnilal Rajvanshi. It is submitted that the petitioner is not a Doctor but police has wrongly mentioned that petitioner is a Doctor. Learned senior counsel for the petitioner further submits that no offence u/s 302 IPC is made out against the petitioner as she is simply a domestic lady and neither she helped in the operation.

Learned APP for the State opposed the prayer for bail and submits that the said clinic where operation was done is not registered and this fact has also come in the case diary.

Having regard to the facts and circumstances of the case, considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on her behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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