

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47918 of 2021

Arising Out of PS. Case No.-227 Year-2014 Thana- GOGRI District- Khagaria

Kanchan Kumari W/O Mohan Mahto @ Mohan Kumar R/O Village-Konipar,
P.S- Suryagadha, District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant through virtual mode.

Learned Counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending her arrest in a case
registered under Sections 304/34 of the Indian Penal Code.

Prosecution case, in short, is that on 10.10.2014 the
informant had gone to Primary School, Bhuiya, Diyara on
information of Asha worker for vaccination of her child. The ANM
delivered vaccine to her child and within four hours from vaccination
condition of her child became serious. At about 11 p.m. her child
died.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner



has falsely been implicated in the present case. The petitioner happens to be a Nurse, who is said to have administered vaccine. There is no material on record to show that any offence under Section 304 of I.P.C. is made out. At best, an offence under Section 304A of I.P.C. is attracted in the present case.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. case No.227/2014, G.R. No.2244/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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