

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58992 of 2021

Arising Out of PS. Case No.-389 Year-2021 Thana- BANKA District- Banka

Dr. Sulochana Kumari Singh @ Sulochana Kumari Singh Wife of Niranjana Prasad Singh Posted at Lilawati Health Care, Jagatpur, P.S. and District-Banka, Resident of Village and Post- Khabaspur, P.S.- Pirpanti, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner filed a
supplementary affidavit in Court, which is kept on record.

The petitioner apprehends her arrest in connection
with Banka P.S. Case No.389 of 2021, registered for the
offences punishable under Sections 304, 420, 201 and 34 of the
Indian Penal Code.

The prosecution case, in brief, is that on 18.05.2021 at
about 8.30 a.m., the informant took her daughter Krishna Devi
for delivery to Sadar Hospital, Banka. Thereafter one Mamta
Didi took the daughter of the informant to a private hospital,
namely, Lilavati Health Care, Jagatpur. In the said hospital, the



daughter of the informant gave birth to a child. It is alleged that after few hours of delivery, when the condition of the daughter of the informant started deteriorating, she was taken to Mayaganj Hospital, Bhagalpur and thereafter the accused persons managed to flee away after leaving the dead body of the daughter of the informant.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is further submitted that co-accused, Guddu Kumar is running the said private hospital, namely, Lilawati Health Care, Jagatpur. Learned counsel for the petitioner relies upon a judgment of the Hon'ble Supreme Court passed in the case of Jacob Mathew v. State of Punjab, reported in (2005) 6 SCC 1.

Taking into consideration the facts aforesaid and in view of the aforesaid judgment delivered by the Hon'ble Apex Court, let petitioner, above named, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No.389 of 2021, subject to the conditions laid down under



Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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