

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58876 of 2022

Arising Out of PS. Case No.-635 Year-2020 Thana- ARARIA District- Araria

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MAYANAND MANDAL @ MAYA BABU @ MAYANAND BABU S/o
Late Janak Lal Mandal R/V- Islamnagar, Ward No. 21, P.S. and Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 22-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Araria
P.S. Case No. 635 of 2020 registered for the offence under
Section 304 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.09.2022.

The allegation against the petitioner is to cause death
of wife of the informant by referring to co-accused, who was not
a registered doctor and also alleged to accept fees of Rs.



15,000/- for the purpose of surgery.

Learned counsel appearing on behalf of the petitioner submitted that the wife of informant visited three different hospitals as per F.I.R. and as such it is difficult to suggest that out of whom negligence, she died. It is also submitted that not a single documentary evidence is available, which may suggest that petitioner accepted Rs. 15,000/- from the informant or his wife while referring to Dr. Neelam Devi. It is also pointed out that as the wife of petitioner is a trained nurse, she extended her help by taking note of emergent conditions of the wife of the informant. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the allegation against petitioner is only to accept Rs. 15,000/- without having any connecting documentary evidence coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Araria P.S. Case No. 635 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 learned Chief Judicial Magistrate, Araria/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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