

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3264 of 2023

Arising Out of PS. Case No.-15 Year-2020 Thana- KHAIRA District- Jamui

DR. AJAY KUMAR @ AJAY KUMAR SHARMA SON OF NARESH
SHARMA R/O VILLAGE- BINDWARA, P.S.- KASIMBAZAR, DISTRICT-
MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Prasad

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 406, 467, 302, 120B
of the Indian Penal Code and further Sections 304, 420 and 468
of the IPC were added.

As per allegation in the FIR, mother of the informant
was suffering from stomach stone and on advice of co-accused
Vishnu Dayal Yadav, he admitted his mother to the clinic of
petitioner, who happens to be a quack doctor and was running a
clinic on the basis of experience of compounder. During
treatment, informant's mother, namely, Rekha Devi died.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. There is no documentary evidence regarding treatment or admission of the deceased in the clinic. Petitioner has never conducted any operation on the body of the deceased. Nothing has come against the petitioner, save and except his confessional statement made before the police, which has no evidentiary value in the eye of law. Petitioner has no criminal antecedent and he is languishing in judicial custody since 8.9.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Jamui in connection with Khaira P.S. Case No. 15 of 2020.

(Sunil Kumar Panwar, J)

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