

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4607 of 2023

Arising Out of PS. Case No.-151 Year-2020 Thana- KURSAILA District- Katihar

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VAISHALI @ DR. VAISHALI SHARMA D/o Rakesh Kumar R/o Enayatpur
Prabodhi, P.O.- Manibhkurahar, P.S.- Sarai, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends her arrest in a case registered
for the offence punishable under Section 304/34 of the Indian
Penal Code.

As per the prosecution case, on 04/09/2020 pregnant
daughter of informant was admitted in the clinic but due to
negligence of the doctors in treatment the patient died thereafter
both the doctors fled away.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is further submitted that petitioner is ANM and she only
assist the doctors in operation. The patient was not admitted in
the clinic rather her condition was serious and hence, she was refused
admission. The informant got annoyed and lodged this false and



concocted case has been filed. Petitioner is an unmarried lady and she has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Kursela PS case No. 151/ 2020, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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