

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32370 of 2023

Arising Out of PS. Case No.-1801 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Rahul Pandey Son Of Anil Pandey Resident Of Village- House No. 84 Village, P.O.And Ps- Shahpur, Distt- Bhojpur, Bihar
 2. Praveen Pandey @ Pravin Kumar Pandey @ Guddan Pandey Son Of Anil Pandey Resident Of Village- House No. 84 Village, P.O.And Ps- Shahpur, Distt- Bhojpur, Bihar
 3. Niraj Pandey @ Niraj Kumar Pandey Son Of Anil Kumar Pandey Resident Of Village- House No. 84 Village, P.O.And Ps- Shahpur, Distt- Bhojpur, Bihar
 4. Sonu Pandey Son Of Ravindra Pandey Resident Of Village- Tikapur (BAHORANPUR) .AND Ps- Shahpur, Distt- Bhojpur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Pandey Na Resident Of Village- Sonki Po- Suhiya, Ps- Shahpur, Distt- Bhojpur Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 304, 304(A), 120B, 504, 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the incident is alleged to be taken place on 13.10.2022 whereas the complaint has been filed on



10.11.2022. He submits that the petitioners are neither doctors nor are related to medical business as such there is no occasion to participate in treatment of the complainant's wife. He submits that there is no postmortem report or any other material to show that the complainant's wife was subjected to certain surgery which resulted into her death. He submits that there is no specific overt act against the petitioners. He submits that there is specific allegation against co-accused Rajesh Pandey. He further submits that petitioner no. 4 has one criminal antecedent and rest of the petitioners have no criminal antecedent as stated in para-3 of this application.

4. Learned APP for the State and learned counsel for the complainant opposing the prayer for bail submits that the petitioners are also involved in the present case.

5. Considering the facts and circumstances of the case, let the above named petitioners in the event of their 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 the learned court below where the case is pending/successor court in connection with Complaint Case No. 1801(C) of 2022, subject



to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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