

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43832 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- BAHERI District- Darbhanga

1. Ram Bahadur Mandar @ Ram Bahadur Mandal S/O Late Nevat Mandar R/O Village- Pabra, P.S- Baheri, Distt.- Darbhanga.
2. Shyamakant Singh @ Shyamakant Kumar S/O Sri Ram Bahadur Mandar @ Ram Bahadur Mandal R/O Village- Pabra, P.S- Baheri, Distt.- Darbhanga.
3. Sunil Kumar @ Lal S/O Late Ganga Prasad Singh R/O Village- Pabra, P.S- Baheri, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Ms. Vaishnavi Singh
For the Opposite Party/s	:	Mr. Md. Fahimuddin Mr. Girish Chandra Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-10-2023 By order dated 24.07.2023 and 22.08.2023, this application is dismissed as withdrawn with respect to petitioners no. 1 and 2.

2. Now, this application is being heard only with respect to petitioner no. 3.

3. Heard learned counsel for the petitioner and learned A.P.P. for the State assisted by learned counsel for the informant.

4. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.



5. As per the allegation in the FIR, it is alleged that accused persons have committed forgery in order to falsely implicate the innocent family members of the informant and has got a wrong injury report prepared due to which his family is suffering financial, mental and bodily loss and their reputation has also been tarnished.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further submits that the petitioner no. 1, Ram Bahadur Mandal appeared once before the Medical Board and, thereafter, he was called on the next date alongwith CT scan report and other documents but he has not appeared before the Board. He also submits that CT scan report and the injury report of the petitioner Ram Bahadur Mandal is already in D.M.C.H. and thus there is no occasion that the petitioner Ram Bahadur Mandal has to appear before the Medical Board and petitioner Ram Bahadur Mandal had submits that when the court directs him to appear before the Medical Board then he will appear. Petitioner has two criminal antecedent as mentioned in para-3



and 4 of the supplementary affidavit.

7. Learned APP for the State and learned counsel for the informant opposed prayer for anticipatory bail.

8. Considering the facts and circumstances of the case and also the fact that the Doctor has not be made accused in the present case, let the above named petitioner no. 3, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Baheri P.S. Case No. 115 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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