

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57172 of 2022

Arising Out of PS. Case No.-150 Year-2022 Thana- BARAULI District- Gopalganj

1. MANJU DEVI Wife of Lal Dev Sah Resident of Bhadkuiya, ward No. 7, P.S- Barouli, Dist- Gopalganj, Bihar- 841405
2. Pinki Devi Wife of Upendra Kumar Resident of Barauli, P.S- Barauli, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binodanand Mishra, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-01-2023 Heard Mr. Binodanand Mishra, learned counsel for the petitioners and Mr. Satyanand Shukla, learned counsel for the State.

The petitioners apprehend their arrest in connection with Barauli P.S. Case No. 150 of 2022 for the offence registered under Sections 304 and 120B/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that the pregnant daughter was admitted to Aditya Hospital for operation where it is alleged that although she gave birth to a child, due to mishandling by the accused persons in which one of them was even a Doctor, she died. Subsequent allegation is



that all the accused persons absconded from the hospital and after long waiting, when he entered the operation theatre, he found the dead body of his daughter.

Learned counsel for the petitioner submits that it was Upendra Kumar, who was serving in the said Nursing Home. The two petitioners herein have no role to play in the matter being wife and mother of the said Upendra Kumar.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail and submits that all the accused persons were responsible for unfortunate death of informant's daughter.

Considering the fact that both the petitioners are lady, have no criminal antecedent and are only family members of Upendra Kumar whose anticipatory bail already stands rejected, this Court is inclined to grant them privilege of anticipatory bail.

Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gopalganj in connection with Barauli P.S. Case No. 150 of 2022, subject to condition as laid down under



Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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