

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59659 of 2023

Arising Out of PS. Case No.-362 Year-2023 Thana- WAJIRGANJ District- Gaya

1. LEELAWATI DEVI @ LEELA DEVI Wife of Ajay Kumar R/o vill - Tarwa Fatehpur Road, P.S. - Wazirganj, Distt. - Gaya
2. Vikram Kumar @ Vikram Raj Son of Ajay Kumar R/o vill - Tarwa Fatehpur Road, P.S. - Wazirganj, Distt. - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 01-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Wazirganj P.S. Case No. 362 of 2023 dated 17.06.2023 registered for the offence/s punishable u/ss 341, 323, 287, 304, 386, 504 and 506 read with section 34 of the Indian Penal Code and section 19 of the Medical Practitioner Act.

4. As per the prosecution case, the newly born child of



the informant's daughter died due to the medical negligence of the co-accused Dr. Ajay Kumar and he demanded Rs. 15,000/- for discharging the informant's daughter. When the informant and his son protested, the petitioners and the co-accused Dr. Ajay Kumar abused them and engaged in a scuffle with them.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Learned counsel has further submitted that petitioner no. 1 and petitioner no. 2 are made accused only because they are the wife and son of the co-accused Dr. Ajay Kumar. Learned counsel has further submitted that the operation was done by the co-accused Dr. Ajay Kumar. The petitioner no. 1 is a lady. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Gaya in



connection with Wazirganj P.S. Case No. 362 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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