

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72502 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- ARA NAWADA District- Bhojpur

Dr. S. N. Sharma @ Siddhnath Sharma S/O Shree Ram Lakhan Sharma R/O
Maula Bagh, Ward No. 11, Near Bara Nala, Ps. Ara Nawada, Dist. Bhojpur,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bipin Bihari
For the Opposite Party/s :	Mr. Dinesh Singh
For the Opposite Party :	Mr. Diwakar
	Mr. Deepak Kumar
	Mr. Shivam Kumar
	Mr. Prashant Sharma
	Ms. Priya Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State assisted by learned counsel for the

informant.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 304, 201

and 34 of the Indian Penal Code.

3. As per the prosecution case, informant alleges

that his daughter had died due to negligency by the petitioner

along with other co-accused persons and sent the dead body of

the informant's daughter to Sadar Hospital, Ara for hiding or

destroying the evidence of crime.



4. 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 further submits that there is no allegation regarding any act or conduct of the petitioner that indicates an intention to cause of death to the informant's daughter. He further submits that there is no compliance of the judgment of Hon'ble Apex Court passed in the case of ***Jacob Mathew v. State of Punjab*** reported in ***(2005) 6 SCC 1***. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is no compliance of judgment of Hon'ble Apex Court passed in the case of ***Jacob Mathew (supra)***, let the above named petitioner, 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 Ara Nawada P.S. Case No. 60 of 2023,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

