

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5323 of 2023

Arising Out of PS. Case No.-663 Year-2022 Thana- SUPAUL District- Supaul

Manisha Kumari @ Manisha Devi W/o Vishundev Mahto Posted at Sadar Hospital, Supaul. At present residing at Village- Konipar, P.O.- Manikpur, P.S.- Lakhisarai, Distt- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Supaul P.S. Case No. 663 of 2022 registered for the offences punishable under Sections 314, 34 of the Indian Penal Code. She has got no criminal antecedent.

As per the prosecution story, the pregnant daughter of the informant upon pain was admitted at Sadar Hospital on 07.07.2022 where she met this petitioner and the petitioner convinced the informant to take her pregnant daughter to her clinic for delivery. Thereafter, the informant took her daughter at the clinic of the petitioner where her treatment started but her daughter died on 08.07.2022.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that the daughter of the informant was sent for delivery to another place not at the instance of this petitioner.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the informant has herself sworn affidavit that she had filed this case against the petitioner against some mis-information and that her daughter was sent for delivery to another place not at the instance of this petitioner, this Court directs release of the petitioner above named on bail in the event of her arrest or surrender within a period of four weeks from today in connection with Supaul P.S. Case No. 663 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of



bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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