

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41410 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Shabana Khatoon Wife Of Md. Sheraj Resident Of Village - Prushotampur,
P.S. - Chauradano, District - East Champaran (WRONGLY Mention In
Complaint Case, Sabana Khatoon, Aged About 27 Years, Wife Of Dr. Aditya
Amit, Resident Of Shabana Prusuti Kendra, Moharatola Road, West Of
Chandni Chowk, House Of Hari Narayanjee, Lakhaura, P.S. - Lakhaura,
District - East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ramawati Devi Wife Of Binda Mukhiya Resident Of Village - Basantpur,
P.S. - Motihari Mufasil, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar
For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a case
registered for offence under Sections 341, 323, 313, 420 and
504/34 of the Indian Penal Code.

3. As per prosecution case, Bhabhi of the informant/
opposite party no. 2 was pregnant and on 21.10.2023 at about 5
PM, while she was searching the vehicle to go to Sadar
Hospital, co-accused Suchit Sahani and Manoj Sahani came
there and got seated the informant and her Bhabhi in an auto and
insisted to go to a private clinic and thereafter, they brought



them to the clinic of petitioner, where Bhabhi of informant was operated, but after some time, she (informant’s Bhabhi) as well as her newly born child died.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. During course of investigation, none of the witnesses supported the prosecution case and only with a view to extort money, this false and concocted case has been filed. Petitioner never treated Bhabhi of informant. As a matter of fact, Bhabhi of informant was treated in Manzar Hospital. In this regard, death certificate has also been issued from Manzar Hospital (Annexure – P-2).

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that petitioner runs a clinic without proper registration and without degree of doctor.

6. Considering the nature of accusation, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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