

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42990 of 2024

Arising Out of PS. Case No.-366 Year-2023 Thana- KISHANGANJ District- Kishanganj

1. Md Mushfique @ Mushfique Alam S/o Late Muslim R/o Village- Purana Khagra, Ward No.20, P.S- Kishanganj, Distt.- Kishanganj.
2. Md Kalim S/o Tajmmul Haque R/o Village- Kaddubari, P.S- Kochadhaman, Distt.- Kishanganj.
3. Jamil Akhtar R/o Pirgachhi, P.S- Angar Hat, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Kishanganj P.S. Case No. 366 of 2023 instituted under Sections 304 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alongwith his wife went to J.K.M. Nursing Home for treatment of his wife. It is further alleged that the wife of the informant died due to wrong treatment given there in the Hospital.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He further submits that the petitioners are not Doctor nor



staff of J.K.M. Nurshing Home and, therefore, they are not involved in any operation of the informant's wife. Learned counsel submits that when the informant come to know that petitioners are not involved in the alleged offence, he compromised with them. He further submits that petitioners have no criminal antecedent and they undertake to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj / Concerned Trial Court in connection with Kishanganj P.S. Case No. 366 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashishkr/-

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

