

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75210 of 2024

Arising Out of PS. Case No.-497 Year-2024 Thana- SIKARPUR District- West Champaran

Dr. Pramod Kumar @ Pramod Kumar S/O Virendra Singh R/O Kotwali
Chowk of Ward No. 26, P.S- Bettiah Town, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Rajdeep Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner, learned APP
for the State, learned counsel for the informant and perused the
case diary.

2. The petitioner seeks bail in connection with
Shikarpur P.S. Case No. 497 of 2024 instituted for the offences
under Sections 269, 406, 420, 307, 338, 34 of the Indian Penal
Code.

3. Prosecution case, in short, is that the petitioner and
other co-accused persons cheated and wrongly conducted the
operation of the informant in their Nursing Home and also
threatened to kill her.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No



specific overt act is alleged against the petitioner. Learned counsel further contended that petitioner is only the owner of the Nursing Home in which the operation of the informant was conducted and the petitioner did not conduct the operation but the same was conducted by Dr. Abhishek Nandan. Learned counsel further submitted that police, after investigation, submitted charge-sheet under Sections 269, 308, 34 of the Indian Penal Code. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.07.2024 and has four criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and has also filed counter-affidavit in the present matter. Learned counsel for the informant further submitted that the accused persons including the petitioner cheated and wrongly conducted the operation of the informant in their Nursing Home with intention to kill her. Learned counsel, therefore, prays that the petitioner may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shikarpur P.S. Case No. 497 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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