

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62730 of 2023

Arising Out of PS. Case No.-145 Year-2022 Thana- BALIGAON District- Vaishali

Sushama Anand Wife of Anand Kumar R/o vill - Champapur Agrail Hat, Kali
Ashthan, P.S. - Baligaon, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 78400 of 2023

Arising Out of PS. Case No.-145 Year-2022 Thana- BALIGAON District- Vaishali

Anand Kumar S/O Ramdeo Sah Village- Champapur Agrail Hat, Kali
Ashthan, Ps. Baligaon, Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 62730 of 2023)
(In CRIMINAL MISCELLANEOUS No. 78400 of 2023)
For the Petitioners : Mr.Ranjan Kumar

For the State : Mr.Rajendra Singh
: Mr.Anish Chandra

For the Informant : Mr.Ashok Kr. Sinha

For the Witness : Mr.Bhola Prasad
: Mr.Indrajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 30-04-2024 Heard learned counsel for the parties.

2. The petitioners (in both cases) apprehend their
arrest in a case registered for the offence under Sections 313,
314, 324, 302/34 of the Indian Penal Code.



3. Allegation against petitioners is that they are local doctors and without having any requisite qualification, they treated the daughter of informant, due to which, daughter of informant and her child in womb died.

4. It is submitted on behalf of petitioners that petitioner have not treated the daughter of informant. In fact, the informant's daughter was brought to nearest Nursing Home, Mahua due to serious pain in her abdomen and seeing her critical condition, Dr. K.C.Vidharthi of Arti Nurshing Home referred her to AIIMS, Patna where she died during treatment. The aforesaid fact has also been supported by the informant in his statement recorded under Section 164 Cr.P.C. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State as well as learned counsel for the informant opposed the bail petition.

6. Considering the statement of the informant recorded under Section 164 Cr.P.C., as mentioned in paragraph 78 of the case diary, the prayer for anticipatory bail of petitioners is allowed.

7. Let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate – II, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 145 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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