

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82656 of 2023

Arising Out of PS. Case No.-157 Year-2021 Thana- KURSAKANTA District- Araria

Nandlal Sah S/O Late Ayodhi Sah Village- Khesrail, Ward No. 08,Ps.
Kursakanta, Dist. Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304, 120B and 34 of the Indian Penal Code.

3. As per prosecution case, the FIR has been lodged against this petitioner along with one co-accused person and the allegation against the petitioner is that he is said to be “*jhola chhap doctor*” and he has injected injection to informant’s daughter resulting to her death.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to ulterior motive. Petitioner has not committed any offence as alleged in FIR. He has just injected injection to the deceased so that she can survive



but due to her long illness she died. It is further submitted that good sense has been prevailed between the parties and in support of this, Annexure-2 has been annexed in this petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by another co-ordinate Bench of this Court vide order dated 19.10.2023 in Cr. Misc. No 68597 of 2023. Moreover, the petitioner is languishing in judicial custody since 23.01.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kursakanta P.S. Case No. 157 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Araria.

(Sunil Kumar Panwar, J)

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