

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85340 of 2023

Arising Out of PS. Case No.-168 Year-2021 Thana- BRAHMPURA District- Muzaffarpur

1. PANKAJ SINGH S/O RAM KISHORE SINGH R/O VILLAGE-DHARAMPUR, P.S- DEORIYA, DISTT.- MUZAFFARPUR, BIHAR.
2. RAJ KISHORE SINGH @ HARI KISHORE SINGH S/O LATE BINDA SINGH R/O VILLAGE- DHARAMPUR, P.S- DEORIYA, DISTT.- MUZAFFARPUR, BIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar, Adv.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 427, 384, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners came at the said hospital and started demanding ransom of Rs. 5 lacs. On non-fulfillment of their demand, the husband of the informant as well as co-staffs was attacked by them. They also damaged C.C.T.V. Camera, monitor, hard disc Led T.V. and other medical appliances. Petitioner no.1 took away Rs. 50,000/- from the counter of the hospital.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. The real fact is that on 20.06.2021, deceased Priti Kumari was brought to the said hospital of the informant and got admitted. Thereafter, on 22.06.2021, Dr. Nishibala and Dr. Sanjeev Pandey negligently operated Priti Kumari due to which her condition got deteriorated and after sometime, she died during the course of the treatment. Subsequently, after the death of the deceased, her husband went to Brahampura P.S. for institution of FIR, but he was not entertained by the police. As the concerned doctors have good connection in police, they got a false and concocted case instituted against the petitioners. Having no way, Chandan Kumar gave an application addressed to the learned C.J.M., Muzaffarpur narrating the entire occurrence and the same was filed as Complaint Case No. 1368 of 2021, which is also evident from Annexure P2. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.



6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Brahampura P.S. Case No. 168 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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