

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85123 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- TARAPUR District- Munger

Dr. Manoj Chaodhary @ Manoj Choudhary Son Of Sri Arjun Choudhary R/O
Village- Makwa, P.S.- Asarganj, Dist.- Munger

... .. Petitioner/s

Versus

The State of Bihar PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 304, 109/34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that due to wrong treatment of petitioner and other co-accused persons, her wife died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further submits that though the said clinic belongs to the petitioner but



the petitioner was not present when the occurrence took place. He also submits that there is no compliance of judgment of the Hon'ble Apex Court passed in the case of *Jacob Mathew vs. State of Punjab* reported in *(2005) 6 SCC 1*. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the judgment of Hon'ble Apex Court passed in the case of *Jacob Mathew (supra)*, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Tarapur P.S. Case No. 155 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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

