

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19969 of 2025

Arising Out of PS. Case No.-332 Year-2019 Thana- SITAMARHI District- Sitamarhi

Dr. Mamta Mishra @ Mamta Kumari W/O - Vavan Kumar Village- Kanhwa
W.No-4, Ps- Bela Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajan, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-06-2025 Heard Mr. Rajan, learned counsel for the petitioner
and Mr. Ram Naresh Ray, learned Additional Public Prosecutor
for the State.

2. The petitioner is apprehending her arrest in connection with Sitamrahi P.S. Case No. 332 of 2019, F.I.R. dated 10.06.2019 for the offences punishable under Sections 304, 419, 420, 338, 269, 270, 467, 468, 188 and 120-B of the Indian Penal Code.

3. According to prosecution case, the informant alleges that the informant's wife was pregnant and was admitted at a Clinic and during operation his child died and the informant was told to deposit the remaining amount which is Rs. 16,000/- and then his wife would be discharged from the hospital in clinic in question.



4. Learned counsel for the petitioner submits that petitioner is innocent and she has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation and it has been come during the investigation in the paragraph 23 of the case diary that one Dr. Anil Kumar Singh had treated the wife of the informant and the said Dr. Anil Kumar Singh has been granted the privilege of anticipatory bail vide order dated 29.04.2023 in Cr. Misc. No. 74789 of 2022 by a Co-ordinate Bench of this Court. He further submits that the petitioner has no concerned with the present occurrence and she has been made accused merely on the ground of suspicion and in fact, the petitioner has visited the hospital in question on call.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts, the petitioner has not treated the wife of the informant and one Dr. Anil



Kuamr Singh has treated the wife of the informant and he has been granted the privilege of anticipatory bail a Co-ordinate Bench of this Court, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamrahi P.S. Case No. 332 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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