

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1350 of 2025

Arising Out of PS. Case No.-755 Year-2018 Thana- AHYAPUR District- Muzaffarpur

Rakesh Kumar Son of Yogendra Ray Resident of Vill- Jhapaha Dih, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kr. Mishra, Adv.
Mr. Shambhoo Kumar Suman & Mr. Mukesh Kr.
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2025 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 offence under Sections 447, 323, 325, 352, 427, 307, 379 r/w 34 of the Indian Penal Code and Section 3 / 7 of Bihar Medical Service Institution Personal Protection Act, 2011.

3. As per the prosecution case, wife of the petitioner was admitted in informant's hospital for her delivery and thereafter, her operation was done, but in that course, she died and it is alleged that this petitioner alongwith 200 other people attacked the hospital and caused damage in the hospital.

4. Learned counsel for the petitioner submits that



petitioner, being husband of the deceased, has been falsely implicated in this case. In fact, due to misdeed / carelessness in the treatment by informant and her staff, wife of petitioner died, for which Ahiyapur P.S. Case No. 750/2018 was lodged by the brother of petitioner against the informant and others and only to save their skin, this false case has been lodged against petitioner. There is general and omnibus allegation. Case and counter case. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur in connection with Ahiyapur P.S. Case No. 755 of 2018, corresponding to G.R. No. 4625 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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