

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44118 of 2012

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1. Chandeshwari Prasad Yadav S/O Late Dahu Prasad Yadav R/O Vill-
Gudiya, P.S.-Jadia, Distt-Supaul

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL ORDER

4 30-10-2013

Heard learned counsel for the petitioner, the complainant and learned Additional Public Prosecutor for the State.

The petitioner, who is apprehending his arrest in connection with a case registered for the offence punishable under Sections 147, 148, 149, 120(B), 302/34 and 307 of the Indian Penal Code, petitioner is one of the named accused in a complaint case instituted by the complainant from custody with allegation of showing negligence in the treatment to be provided to one of the injured who ultimately died.

Submission is of false implication in retaliation of taking the complainant in custody in connection with Pirpainty Police Station Case No. 254 and 255 of 2009. The petitioner being the Officer-in-charge on the informant received from one of the co-accused (complainant) Saurav

Tiwary, arrived at the place of occurrence, apprehended some persons and also brought the injured, get him hospitalized, from where he was referred for better treatment to other place, during that course, he died.

Having regard to the facts and circumstances of the case, let the petitioners above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand only) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Bhagalpur, in connection with Complaint Case No. 2526 of 2009, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure with additional condition to remain physically present before the court below on each and every date at least for two years or till disposal of the case, whichever is earlier and in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled.

Prabhakar Anand/-

(Akhilesh Chandra, J)