

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49235 of 2012**

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1. Irshad Kamil S/O Mahmood Mian Resident Of Village- Mobin Tola, Bisunpurawa, P.S- Lauria, District- West Champaran, At Present Resident Of Mohalla- Block Chowk, Lauria, P.S- Lauria, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State Of Bihar
2. Champa Devi W/O Bhikhan Ram

.... .... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA**  
**ORAL ORDER**


3      31-10-2013

In this case supplementary affidavit has been filed.

Heard the parties.

Petitioner apprehends his arrest in connection with a case for the offence punishable under sections 337, 338, 379, 420 and 34 of I.P.C. and section 15(3) of Indian Medical Council Act, 1956, who is one of the named accused in this case with allegation of taking undue advantage of the complainant's condition taking her in trap through one co-accused and performed surgery. Submission is of false implication. Though petitioner is practitioner of alternative medicine but with him one M.B.B.S. doctor namely, Dr. I.A. Khan has also joined and joint prescription pack is on the record. Further the parties have amicably settled the dispute and petition of compromise is on the record of the court below.

If it is so, in the event complainant appearing before the



court below and on due identification supports factum of compromise with free will and consent without any coercion and her husband as well co-registered medical practitioner (M.B.B.S) referred to above both stood as bailers and in the event of arrest/surrender within four weeks, the petitioner above named shall 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 Sri Pranaw Shankar, J.M. Ist Class, Bettiah, West Champaran in Complaint Case No. 2585 of 2011, subject to the conditions as laid down in section 438 (2) of the Cr.P.C. 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 privilege granted shall be deemed to be cancelled.

**(Akhilesh Chandra, J)**

Abhay/-