

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11535 of 2015

Arising Out of PS.Case No. -382 Year- 2014 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Dr. Rakesh Kumar son of Surendra Prasad Sinha, Resident of village-
Jogira, P.S.- Darbhanga, District- Darbhanga, presently residing at
Mohallah- Club Road, P.S.- Aurangabad Town, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Veena Rani Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 30-04-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Aurangabad (Town) P.S. Case No. 382 of 2014 registered for
the offence under Sections-419, 420, 471, 472, 409, 304 of the
Indian Penal Code and Section-5(2) of Private Hospital and
Medical Clinic Act, 1999.

Admittedly, the petitioner is a qualified doctor and
he did operation of wife of one, Akhilesh Kumar Choudhary but
unfortunately, the baby of pregnant lady could not be saved.
Thereafter, the raids were made on several clinics, including the
clinic, in which, the petitioner did the above-said operation.

Learned counsel, appearing for the petitioner submits that Aurangabad (Town) P.S. Case No. 379 of 2014 was lodged against the petitioner and others by Anita Devi, wife of Akhilesh Kumar Choudhary for so-called negligent act of the petitioner and after that, the present case was lodged by In-charge, Medical Officer, Primary Health Centre, Aurangabad on the ground that the clinic of the petitioner did not have proper facilities to do the operation and other medical treatments. It is further contended by him that the petitioner has already been granted privilege of anticipatory bail in Aurangabad (Town) P.S. Case No. 379 of 2014.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Aurangabad (Town) P.S. Case No. 382 of 2014 to the satisfaction of Chief Judicial Magistrate, Aurangabad subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

A.K.V./-

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