

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14881 of 2015

Arising Out of PS.Case No. -71 Year- 2014 Thana -JHAJHA District- JAMUI

1. Dr. R.N. Singh @ Ramnandan Prasad S/o Shtrarughan Prasad R/o Village Temuha Govindpur, P.S. Mansoor Chak, District Begusarai, at present residing Hospital Road Jhajha Clinic, P.S. Jhajha, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Nilambari

For the Opposite Party/s Mr. Kalyan Shankar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03/ 06.07.2015

Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Jhajha P. S. case no. 71/2014 registered under sections 420, 304 of the Indian Penal Code and sections 15 (2), 15(3) of the Indian Medical Council Act, 1956.

The accusation against petitioner is that he did operation to informant's wife but negligently, left an instrument, namely, 'Tetra' in the abdomen of informant's wife who later on died due to septicemia.

The contention on behalf of the petitioner is that so-called 'Tetra' has not been recovered nor seized by the Investigating officer and, as a matter of fact, petitioner is a dresser and he has been implicated in this case on account of business rivalry. It is also contended that the petitioner had not done any operation.

Regard being had to the facts and circumstances as well as submissions of the parties, in my view, it is not a fit case for grant of anticipatory bail and accordingly, his prayer for anticipatory bail in connection with the above stated Jhajha P. S. case no. 71/2014 pending in the court of Judicial Magistrate, Ist Class, Jamui/concerned court stands rejected.

However, if the petitioner surrenders within four weeks from today and seeks regular bail, his regular bail application shall be considered on its own merit without being prejudiced by this rejection order, particularly, keeping in mind the above stated submissions advanced on behalf of the petitioner.

shahid

(Hemant Kumar Srivastava,J)

U		T	
---	--	---	--