

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30556 of 2015

Arising Out of PS.Case No. -480 Year- 2013 Thana -AHIAPUR District- MUZAFFARPUR

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Dr. Rajesh Chandra @ Dr. Ramesh Chandra @ Rajesh Chandra, Son of Shri
Indradutta Sharma, Resident of Mohalla Prakash Path, Ahiyapur, Police
Station – Ahiyapur, District – Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Subash Chandra Yadav, Advocate.

For the Opposite Party : Mr. Anil Kr. Singh No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-07-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 304 and 34 of the
Indian Penal Code.

The informant alleged that he got his wife admitted to
the clinic of the petitioner who advised for ultrasound. After
seeing the report of ultrasound, the doctor operated his wife for
appendix, but pain in the abdomen of his wife did not subside. The
informant went to Dr. Bhartendu for treatment who disclosed that
wrong treatment was administered thereafter his wife died in
S.K.M.C.H., Muzaffarpur.

It is submitted that no document is annexed with the
FIR showing that the petitioner being doctor committed any
negligence in treating the wife of the informant. The post-mortem

report shows that the victim died due to septicemia and it is due to negligence of post-operation, because the informant himself took his wife for treatment to another doctor and ultimately his wife admitted in S.K.M.C.H., Muzaffarpur where she died.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Chief Judicial Magistrate, Muzaffarpur in Ahiyapur P.S. Case No. 480 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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