

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16912 of 2015

Arising Out of P.S. Case No. -28 Year- 2015 Thana -BETTIAH TOWN District- WEST
CHAMPARAN (BETTIAH)

Dr. Arun Kumar Singh son of Late Nityanand Singh Resident of Village -
Palyar, Police Station - Barahat, District - Banka at present residing at
M.J.K. Hospital Road, near Mitra Chowk, Police Station - Bettiah Town,
District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Sanjay Kumar No. 7, Advocate.

For the Opposite Party/s : Mr. Anil Pd. Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-05-2015 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner apprehends his arrest in a case under
Section 307 and other sections of the Indian Penal Code.

The petitioner is a qualified surgeon. The informant
alleged that he operated the Appendix of the informant but due to
negligence of the petitioner, his intestine was cut. The petitioner
did not pay proper care and his condition became worse. The
informant was driven out from the nursing home of the petitioner.
It is submitted that at best it is a case of medical negligence
although there is no such finding. The informant has not brought
on record any prescription or report of the Medical Board showing
any negligence on the part of the petitioner in conducting surgery

on the informant.

On the other hand, learned counsel for the informant opposed the prayer for anticipatory bail and submitted that it is an admitted case of negligence.

Having considered the fact that the petitioner operated the informant for Appendix but there is nothing on record to show that the petitioner committed any negligence, the above named petitioner, in the event of his arrest or surrender in the court below within four weeks from today, 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, Bettiah, District - West Champaran in Bettiah Town P.S. Case No. 28 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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