

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26839 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -DELHA District- GAYA

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1. Dr. Bindeshwar Prasad, S/o Late Ayodhya Mistri, resident of Mohalla Barki Delha, Dularganj, P.S.- Delha, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-07-2017 The petitioner seeks regular bail in connection with Delha P.S. Case No. 167 of 2016, registered for offences punishable under Sections 304/34 of the Indian Penal Code.

Petitioner is a doctor and allegation against him is that due to his negligence, deceased died.

It has been submitted on behalf of the petitioner that whatever allegation that has been made against the petitioner is out and out false and fabricated one and the deceased during the course of treatment as has been stated by the witnesses during the investigation and except that there is no further allegation against him and he has been in judicial custody since 18.04.2017.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, in view of the fact petitioner is a doctor and several witnesses in case diary has supported the case of defence as deceased died during the course of treatment, as such, let the petitioner above named, be released on bail on



furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VIIth, Gaya, in connection with Delha P.S. Case No. 167 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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