

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20141 of 2017

Arising Out of PS.Case No. -241 Year- 2016 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Amit Kumar Kushwaha, son of Ramrup Prasad, Resident of Village-
Chaurav Police Station- Kuchaikote, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dr. Sarita Kumari, wief of Bipul Kumar, Resident of Village- Clinic of
Dr. Sarita Kumari, Kuchaikote, Police Station- Kuchaikote, District-
Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh
For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 27-04-2017 Heard learned counsel for the parties.

The Opposite party No.2 is a doctor and as per the complaint case, the petitioner's wife was admitted in her Clinic for delivery of a baby. Allegedly because of the negligence on the part of the Opposite party No.2, the condition of the petitioner's wife deteriorated and she was subsequently referred to Gorakhpur Hospital and finally she died on 27.09.2016. On the allegation of negligence, the Opposite party No.2 has been made accused in Kuchaikote P. S. Case No. 241 of 2016. The Opposite party No.2 has been allowed anticipatory bail.

The present application has been filed seeking



cancellation of bail.

The exercise of discretion in grant of anticipatory bail cannot be said to be improper. There is no specific allegation of any misuse of privilege of bail granted to Opposite party No.2.

This application for cancellation of bail is misconceived and is accordingly, rejected.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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