

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54374 of 2018

Arising Out of PS. Case No.-28 Year-2018 Thana- PAKRIDAYAL District- East Champaran

Dr. Shiv Bhushan Kumar son of Sri Devlal Baitha @ Devlal Rajak, resident of Village- Dariya Chapra, Police Station- Mohammadpur Balmi, District- Muzaffarpur, presently posted at Sub- Divisional Hospital, Police Station- Pakri Dayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-11-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 304/34 of the Indian Penal Code.

According to FIR, the son of the informant had sustained injury in the road accident. He was carried to the Referral Hospital where he was informed that there was no doctor and no ambulance facility. Thereafter, the victim was being carried to Sadar Hospital, Motihari, where he died.

Submission is that the petitioner is a doctor in that Hospital and there was no direct allegation of negligence against the petitioner.



Finding substance in the submission aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Pakaridayal Police Station Case No.28 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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