

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8830 of 2018

Arising Out of PS.Case No. -426 Year- 2017 Thana -JAMUI District- JAMUI

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Anil Prasad Singh @ Dr. Anil Prasad Singh Son of late Yadunandan Singh
Resident of Maa Kali Nursing Home Hospital Road, Police Station- Jamui,
District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 20-02-2018

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in relation to Jamui P.S. Case No. 426 of 2017 registered under Sections 304, 34, 120(B) and 201 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a professionally qualified doctor, the allegation against him is that he had operated the brother of this informant but he died in course of the said operation due to the negligence of the doctor. The allegation against the petitioner is that he had taken a fee of Rs. 3,00,000/- for the said operation. Learned counsel submits that from the supplementary affidavit filed today, it will appear that



in the post mortem report the case of death of the brother of the informant is said to be a sudden cardiac arrest. Learned counsel submits that prior to conducting operation the informant had filled up the risk bond and thereafter patient was taken to the operation theatre.

Learned counsel for the State is present.

Considering the facts and circumstances particularly that there is no doubt on the professional qualification of the petitioner as a doctor and the patient is said to have died in course of operation, it seems from the post mortem report it is case of sudden cardiac arrest, in the event of his arrest/surrender before the court below within four weeks, let the above named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Jamui P.S. Case No. 426 of 2017, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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