

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56736 of 2018

Arising Out of PS. Case No.-392 Year-2018 Thana- KHAGARIA District- Khagaria

Dr. L. Paswan @ Lalan Paswan S/o Ramuttam Paswan, R/o vill.- Mohanpur,
P.S.- Muffasil, District- Begusarai At present Dr. L. Paswan Sweety Seva
Sadan Vill.- Chatar Gharari in the house of Ram Kumar Rai, P.S.- Muffasil,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-10-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends arrest in connection
with Khagaria (Muffasil) P.S. Case No. 392/2018, G.R.
No. 1588/2018 for offences alleged under Sections
304/34 of the Indian Penal Code.

The prosecution case, as lodged by the
informant, who is the grandmother of the deceased, is
that her granddaughter was brought at the clinic of the
petitioner, namely, Sweety Seva Sadan, Chatar Gharari
for treatment and an operation was performed by the
petitioner, who is a doctor. After the operation condition
of her granddaughter deteriorated. She was released



from the clinic of the petitioner and taken to B.M. Hospital, Bishunpur, Begusarai where she died. It is alleged that due to negligence of the petitioner and other accused the granddaughter of the informant died.

It has been submitted by the learned counsel for the petitioner that he is a doctor and prestigious person in the society, has his own clinic having no criminal antecedent and the death did not occur because of negligence in the operation so performed on the granddaughter of the informant, rather she was taken from the clinic to another hospital at Begusarai.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Muffasil) P.S. Case No. 392/2018, G.R. No. 1588/2018,



subject to the conditions as laid down under Section
438(2) Cr.P.C.

(Nilu Agrawal, J)

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