

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54394 of 2018**

Arising Out of PS. Case No.-62 Year-2018 Thana- ALIPUR District- Gaya

1. Sunil Kumar Yadav, Son of Chandradeo Prasad Yadav, resident of Village- Narayan Bigha, P.S.- Tekari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Satya Veer, Advocate

For the Opposite Party/s : Mr. Sri Satyavarat Verma, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      27-11-2018                      Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Alipur P.S. Case No.62 of 2018, registered for the offence punishable under Section 304/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with his brother performed surgery on Pankaj Kumar son of the informant as a result whereof Pankaj Kumar died instantly.

The petitioner Sunil Kumar Yadav has not produced any document to substantiate that he is a qualified surgeon nor the petitioner has produced any certificate of any other doctor who was qualified surgeon to perform the surgery.

Considering the nature of allegation, which is



apparently a case of culpable homicide, I am not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner, the prayer for regular bail shall be disposed of without being prejudiced by the order of this Court.

**(Birendra Kumar, J)**

Mkr./-

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