

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35631 of 2018

Arising Out of PS.Case No. -112 Year- 2018 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Dr. Om Prakash @ Om Prakash Kumar, son of Raghu Pandit, Resident
of Village- Hilsa, P.S. Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Hilsa P.S.Case NO.112 of 2018 registered for offences punishable
under Sections 304 and 420/34 of the Indian Penal Code.

Allegation against the petitioner is that without having
qualified Doctor, he operated upon the deceased, who died.

Submission of the learned counsel for the petitioner is that
he is running a clinic and he has not operated the deceased rather
one Doctor Ajit Kumar has operated and moreover the deceased
has died due to cardiac problem and not due to operation.

Heard learned A.P.P. also, who has opposed the prayer for
bail.

Having heard both sides and in view of the facts and



circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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