

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50254 of 2018

Arising Out of PS. Case No.-187 Year-2018 Thana- GOGRI District- Khagaria

Sunil Kumar Nevetiya @ Sunil Nevetiya, S/o Kishun Lal Nevetiya , R/o Vill.-
Jamalpur Gogri,P.S.- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Bhushan, Advocate.

For the Opposite Party/s : Mr. Madhuranand Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Gogri P.S. Case No.187 of 2018/G.R. No.1433 of 2018
registered under Sections 304/34 of the Indian Penal Code.

The accusation is that the informant, who is Police
Chowkidar, was going to Police Station on 29.05.2018. When
he reached at Disha Netrayala Chikitsalaya, then found the
gathering of some people there. Thereafter, he entered into the
Chikitsalaya and saw a girl, aged about 16 years, lying dead
there and her relatives were weeping. The people disclosed that
due to latches of doctor, compunder and others, girl died after
surgery of Appendics.



Learned counsel for the petitioner submits that the petitioner is neither doctor nor compounder rather he is running the medical shop there, while in the F.I.R., it is alleged that the petitioner is the Proprietor of that hospital. Further submission is that if for a moment, the prosecution case is taken to be true, then also, the petitioner is the Proprietor of that Hospital but he was not indulged in the surgery or treatment of the girl. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Gogri P.S. Case No.187 of 2018/G.R. No.1433 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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