

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20974 of 2019**

Arising Out of PS. Case No.-636 Year-2018 Thana- GOPALGANJ TOWN
District- Gopalganj

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Nagendra Pandey, aged about 45 years, male, Son of Late Singasan Pandey Resident of Village- Chainpatti, P.S.- Gopalganj, District- Gopalganj, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Kaushlendra, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 304, 304A/34 of the Indian Penal Code registered in connection with Gopalganj Town P.S. Case No. 636 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the only role assigned to the petitioner was that it is on his advice that the informant had her husband treated by co-accused Dr. Chandrashekhar Bharti leading to complication, after which he was referred to India Hospital and Trauma Centre at Lucknow where he finally died. The petitioner does not have any medical shop. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 636 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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