

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21821 of 2019

Arising Out of PS. Case No.-424 Year-2018 Thana- GOGRI District- Khagaria

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Amit Kumar @ Shri Amit Kumar Son of Shri Narayan Yadav Resident of
Village- Raghunathpur, P.S.- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 21-06-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends his arrest in connection with
Gogri P.S. Case No. 424 of 2018 registered for the offence
punishable under Sections 419, 420, 304, 120(B) of the Indian
Penal Code and Section 41(i)(ii) of the Clinical Establishment
Registration and Regulation Act-2010.

Petitioner is said to be running Nursing Home in
the name of Jivan Awtar Hospital taking premises of Roshan
Kumar on rent and in the said hospital, Dr. Rinkesh Kumar and
two compounder, namely, Pandav Kumar and Md. Izhar were



engaged for the treatment of the patient. On the raid, one child was found kept in the incubator while other was found dead during the course of treatment in the said hospital.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. Petitioner does not run any kind of hospital. He was not present at the place of occurrence. He has also no concern with the treatment of patient in the said hospital. He has been falsely implicated in this case at the instance of enemy in order to malign his image. Petitioner has no criminal antecedent. Dr. Rinkesh Kumar @ Rinkesh Kumar, who has allegedly treated the patient has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.05.2019 passed in Cr. Misc. No. 16018 of 2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Khagaria in



connection with Gogri P.S. Case No. 424 of 2018, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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