

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28310 of 2019

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

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

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Veer

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 05-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Alipur P.S. Case No. 62 of 2018 registered for the offence under
Section 304/34 of the Indian Penal Code.

As per the allegation in the FIR, the petitioner is
alleged to have misrepresented himself as a doctor and he along
with his brother are said to have operated upon the son of the
informant who died.

It is submitted by the learned counsel for the
petitioner that the allegation against petitioner of having
operated on the son of the informant is false. Petitioner was
working as a helper with Dr. Rajiv Prasad Bhandari. The



petitioner is not a doctor and co-accused, Sunil Kumar Yadav has been granted bail by this Court vide order dated 05.04.2019 passed in Cr. Misc. No. 27963 of 2019. It is further submitted that the petitioner has no criminal antecedent and he is in custody since 30.12.2018.

The application for bail is opposed by the learned APP for the State submitting that from perusal of the case diary, which was called for, it transpires that the petitioner, who is a quack has been running this clinic since long and operated upon the son of the informant though he is not a doctor.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner and inspite of being a quack, he proceeded to operate upon the son of the informant leading to his death, I am not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

However the petitioner, if so advised may renew his prayer for bail after completion one year custody.

(Partha Sarthy, J)

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