

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32854 of 2019

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

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CHANDRA SHEKHAR BHARTI @ CHANDRA SHEKHAR BHARAT Son
of Late Ram Naresh Bharti Resident of Village - Banjari, P.S.- Gopalganj
town, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey

For the Opposite Party/s : Mr.Renu Kumari

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

ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Gopalganj Town P.S. Case No.636 of 2018 registered
under Sections 304 and 304(A)/34 of the Indian Penal Code.

The accusation is that on 24.09.2018, the informant
Shail Devi, on the instruction of her co-villager Nagendra
Pandey, went at the clinic of Dr. Chandra Shekhar Bharti alias
Dr. Devendra Prasad (petitioner) for the treatment of her
husband Giresh Singh, who provided medicine to the husband
of the informant after taking Rs.3000/-. After two days of
taking the medicine, when the condition of the husband of the



informant started deteriorating, the informant again went to see her husband at the clinic of the petitioner. Thereafter, the petitioner referred to the husband of the informant to Gorakhpur and the informant took her husband to Gorakhpur, where the doctor informed her that due to side effect of the medicine, which was given by the petitioner, the heart of her husband is being failure. Thereafter, the husband of the informant was referred to Lucknow and the informant took her husband to India Hospital and Trama Centre, Lucknow, where he died and doctor informed her that due to wrong treatment, her husband died. After that, the informant again went at the clinic of the petitioner and asked him about the wrong treatment of her husband, due to which the petitioner started quarrel with her. The nearby people of the clinic of the petitioner informed the informant that the petitioner has forged degree of doctor.

Learned counsel for the petitioner submits that it would appear from the certificate, issued by the India Hospital and Trauma Centre, that the husband of the informant died due to cardio respiratory arrest on 28.09.2018 but the informant lodged the present case on 28.10.2018, i.e., after one month. In fact, the husband of the informant had taken Rs.2,00,000/- from the petitioner as advance to execute the sale deed in respect of



some portion of his land and when after the death of the husband of the informant, the petitioner asked the informant to return the money, the informant only to put undue pressure upon the petitioner lodged the present case. 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, Gopalganj, in connection with Gopalganj Town P.S. Case No.636 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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