

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45233 of 2019**

Arising Out of PS. Case No.-195 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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AJAY KUMAR @ DR. AJAY KUMAR Son of Awadh Tanti Resident of
Village - Basdeopur Chandpura, P.S.- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Singh, Advocate.
For the Opposite Party/s	:	Mr.Ajay Kumar Jha, A.P.P.
For the Informant	:	Mr. Shubhesh Pandey, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 21-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Begusarai Muffasil P.S. Case No. 195 of 2019,

registered for the offences punishable under Section 304 of the

Indian Penal Code.

As per F.I.R. there is allegation against the petitioner

that he is running a medical shop and he has given injection to

the grand-daughter of the informant due to which her condition

deteriorated and thereafter she was taken to some other doctor

but she was declared dead.

Submission of the learned counsel for the petitioner

is that he has been falsely implicated in this case and no

injection had given by this petitioner.

On the other hand, learned A.P.P and learned counsel



appearing on behalf of the informant has opposed the prayer of bail on the ground that witnesses have supported the allegation and due to that grand-daughter of the informant died. Postmortem report is not available with the case diary.

Having heard both sides, in view of the allegation as discussed above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned Court below and make prayer for regular bail which shall be considered on the basis of material available in the case diary as well as finding of the postmortem report without being prejudice by dismissal of this order by this Court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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