

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66544 of 2019

Arising Out of PS. Case No.-372 Year-2019 Thana- KAHALGAON District- Bhagalpur

MANOJ DAS Son of Vakil Das Resident of Village- Idamadpur, P.S.-
Ghogha, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha

For the Opposite Party/s : Mr.Pranav Kumar

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

ORAL ORDER

2 06-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kahalgaon (Ghogha) P.S. Case No.372 of 2019 registered
under Section 304 of the Indian Penal Code.

The accusation is that while the informant tried to go
to Bhagalpur for the better treatment of his son of the age of
eight months but this petitioner stopped him to go there,
promising that he will provide his son better treatment and, in
that course, the son of the informant died due to negligence of
the petitioner in providing the better treatment to the son of the
informant.

Learned counsel for the petitioner submits that, in



fact, the father of the petitioner is Registered Medical Practitioner and when the son of the informant of the age of eight months became ill, the informant approached the petitioner to provide him treatment but the petitioner refused and, in the meantime, the son of the informant died. With an ulterior motive, the informant has lodged the present case. Moreover, in the postmortem examination, the cause of death of the son of the informant has been shown as natural death, due to the disease of respiratory system.

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, Bhagalpur, in connection with Kahalgaon (Ghogha) P.S. Case No.372 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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