

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33328 of 2020

Arising Out of PS. Case No.-228 Year-2020 Thana- GHORASAHAN District- East
Champaran

=====

SUNIL SINGH @ SUNIL KUMAR Son of Late Jagdish Singh Resident of
Village - Kodarkat, P.S.- Jitna, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Nand Kishore Prasad

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-12-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Ghorasahan (Jitna) P.S. case No. 228 of 2020 registered u/s 304, 201/34 of the IPC.

The informant alleged that his wife was carrying pregnancy of seven months. His wife felt pain in her abdomen and he took his wife to Mishra Emergency Hospital for consultation with Dr. Anshu Kumar Mishra. The doctor advised him to get the child out of the womb but informant did not give consent. The doctor and his compounder, the petitioner, forcibly injected and administered some medicine to his wife and on account of such medication his wife gave birth to two children who died in the womb. Later on wife of the informant also died.

The learned counsel for the petitioner submits that petitioner is compounder. Dr. Anshu Kumar Mishra treated the patient. The patient was brought to hospital in precarious condition and she was carrying pregnancy and on account of



serious complications the children died in the womb and both of the child were taken out from the womb in died condition and the same made mother more serious and she also died. The doctor did not commit any negligence and he made all efforts to save the child and the mother. The petitioner is in custody since 17.06.2020.

It appears that petitioner is compounder of Dr. A.K. Mishra and he was only assisting the doctor in attending the patient. There is no allegation that petitioner administered any medicine at his own to the wife of informant.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, is directed to 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 learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Ghorasahan (Jitna) P.S. case No. 228 of 2020.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

