

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63472 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- ROH District- Nawada

Dr. Vibhishan Prasad @ Vibhishan Kumar @ Vibhisan Kumar, Son of Sahdeo Mahto, Resident of Village-Gulani, P.S-Roh, District-Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking anticipatory bail in connection with Roh P.S. Case No. 53 of 2019 registered for the offences punishable under Section 304 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not a doctor but because he has been described as doctor in the F.I.R. so he has put the prefix “Dr.” in his name. Learned counsel submits that although allegation against the petitioner is that he had given the medicine and injection to the deceased whereafter she died, the fact is that the dead body was found in the Sadar Hospital at Nawada and the petitioner has not given any treatment to her.

Learned A.P.P. for the State has after going through the case diary submitted before this Court that several witnesses have



come forward to say that the petitioner was running a private clinic and he was prescribing medicines and injections to the villagers. It has also come that the petitioner is not a duly qualified doctor and has no such degree.

Considering the facts and circumstances of the case, where the petitioner is not a duly qualified person to practice medicine and it has come in course of investigation that he is running a private clinic and it is the allegation against him that he was running a private clinic and then in course of investigation several persons have stated that the petitioner was prescribing medicines and that the allegation is because of his prescribing medicines and injections, the mother of the informant died, I am not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is, thus, refused.

In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by this order.

(Rajeev Ranjan Prasad, J)

vats/-

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