

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69058 of 2019**

Arising Out of PS. Case No.-260 Year-2019 Thana- BELAGANJ District- Gaya

Rajdeo Das @ Rajdeo Kumar Son of Fekan Das Resident of Village- Irki,
P.S.- Belaganj and District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 29-01-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under section 304 of the IPC.

As per prosecution case, on 26.07.2019, in the morning maternal grand-daughter of the informant was suffering from fever and went before the petitioner for treatment. He has given an injection as a result of which she died on the spot, thereafter she was taken away to the Primary health Center where doctor declared her brought dead.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to oblique reason. The petitioner has not committed any such offence at all and neither the petitioner is a doctor nor he is involved in any manner in the treatment of the maternal grand-daughter of the



informant. The present FIR has been lodged under Section 304 of the IPC. Petitioner is in custody since 27.07.2019 and he has got no criminal antecedent.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XI, Gaya in Belaganj Police Station Case No. 260 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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