

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17425 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- CHENARI District- Rohtas

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Dhananjay Kumar Ram @ Dhanjee @ Dhananjay Kumar, Son of Ram
Nagina Ram @ Nagina Ram, resident of village-Bhabhasi, P.S. Chenari,
District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 28-09-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304 and 34 of the Indian Penal Code.

As per the prosecution case, the informant had taken his wife to the Maa Sharda Hospital for an operation related to gynaecology. He states that as a result of negligence of the management and the doctor of the hospital concerned, his wife died. However suppressing this fact he was asked to take her to Sasaram Hospital.

It is submitted by learned counsel for the petitioner that allegations as levelled in the F.I.R. are false and concocted. The petitioner has been falsely implicated in the case. The operation was done under the supervision of the doctor and



management of the hospital concerned and the patient died as a result of heart attack. As a result of being mentally disturbed, the informant has lodged the instant case. A compromise has been arrived at between the parties. The petitioner is in custody since 20.7.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties along with the materials on record including the order of the learned trial court rejecting the application for bail, it transpires that the Maa Sharda Mahila Hospital is not registered. Further, the petitioner, who is a compounder in the Sai Hospital, from about 15-20 days before opened the hospital in the house without any documents or registration and started operating on patients. The post-mortem report supports the allegations.

On the facts of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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