

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27949 of 2020

Arising Out of PS. Case No.-49 Year-2020 Thana- GURARU District- Gaya

DR. M. NAUSHAD @ MD. NAUSHAD ALAM S/O Md. Kamaluddin
Resident of Village - Bara Guraru, P.S. - Guraru, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

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

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

ORAL ORDER

4 02-03-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Guraru P.S. Case no. 49 of 2020, registered under Section
304 of the Indian Penal Code.

The accusation is that on 02.05.2020, Anjani
Kumari, aged about 6 months, daughter of informant Nagendra
Kumar was suffering from vomiting and dysentery then
informant rushed his daughter at the clinic of Dr. Md. Naushad
(Petitioner), where treatment was given to the daughter of
informant by the petitioner, but, she died in course of treatment.
Thereafter, informant raised suspicion that his daughter has
died due to negligence of petitioner.

Learned counsel for the petitioner submits that the



petitioner is a medical practitioner having Certificate of Bachelor of Unani Medicine and Surgery Course from Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur and he runs a medical clinic at Guraru market, where informant came with his six months' daughter, in serious condition, who was suffering from vomiting and dysentery, while some treatment was given to her, but she died within few hours, but with ulterior motive, the informant lodged the present case. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special A.C.J-V, Gaya in connection with Guraru P.S. Case No. 49 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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