

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5067 of 2021**

Arising Out of PS. Case No.-144 Year-2019 Thana- MANSI District- Khagaria

Dr. R. K.YADAV @ Ranbeer Kumar Son Of Chandradev Prasad Yadav  
Resident Of Village Ahoghat Police Station-Sahebpur Kamal, District-  
Begusarai

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr. Md. N.Ansari, Addl Public Prosecutor

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

3      22-06-2021                      This matter is taken up for consideration through  
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case  
registered for the offence punishable under sections 304/34 of  
the Indian Penal Code.

As per the prosecution case, on 13.6.2019 petitioner and  
other FIR named accused doctors operated upon informant's  
wife causing her death. It is further alleged that during  
treatment this petitioner took Rs.50,000/- from the informant.



Learned counsel for the petitioner submits that the informant never visited his clinic for treatment and no such surgery had been operated upon his wife in the clinic and there is no eye witness to the occurrence mentioned in the FIR except the informant. Even if the allegation is taken to be true, no offence under section 304/34 IPC is made out rather offence under section 304A of the IPC can be made out against the petitioner which is bailable offence. Petitioner has claimed clean antecedent and he is in custody since 8.9.2020. Charge sheet has already been submitted.

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in Mansi Police Station Case No. 144 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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