

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14833 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- KOCHAS District- Rohtas

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1. BINTESH KUMAR SINGH @ DR. BENKTESH KUMAR YADAV @ BINTESH KUMAR SINGH @ DR. B.K. YADAV S/o Ramashankar Singh R/o village- Orwar, Post- Resan, P.S.- Orwar, Buxar- 802128 (Bihar)
 2. Durgawati Devi @ Durga Devi W/o Mohan Singh Resident of- Ward No. 3, Jagdev Nagar, Kochas, P.S.- Kochas, Rohtas- 821112 (Bihar)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Dhanjee Chouhan @ Dhanjee Kumar S/o Rameshwar Chouhan R/o- Ward no. 02, Bhutiya, Kochas, P.S.- Kochas, Rohtas- 821112 (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Sinha
For the Opposite Party/s : Rita Verma

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 13-01-2022 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State through video conferencing.

The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

The petitioners apprehend their arrest in connection with Kochas P.S. Case No. 88 of 2020 registered for offence punishable under section 304 and 34 of the Indian Penal Code.

As per allegation, the wife of the informant, who was



pregnant, was admitted in Ruushan Hospital run by the petitioners. After operation, the child was taken out. The child was not well, so the informant, for better treatment, was carrying the child to Banaras who lost his life in the way. It has been mentioned in the FIR that the petitioners were making evasion in referring the patient to Banaras even on asking of the informant.

The learned counsel for the petitioners has submitted that no negligence was done by the petitioners in the treatment of the patient. They have treated the patient in bona fide manner without any ulterior motive. He has further submitted that when the informant perceived reality, he filed compromise petition. Xerox copy whereof is annexed as Annexure-3.

Considering the above mentioned facts and circumstances, the petitioners above named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Rohtas at Sasaram in connection with Kochas P.S. Case No. 88 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the



petitioners within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey , J)

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