

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23803 of 2022**

Arising Out of PS. Case No.-394 Year-2021 Thana- BALIYA District- Begusarai

**DILIP KUMAR @ DR. DILIP KUMAR SON OF LATE YUGAL KISHORE
YADAV R/O VILLAGE- RAHATPUR, P.S.- BALLIA, DISTRICT-
BEGUSARAI**

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Archana Sinha @ Archana Shahi, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

For the Informant : Mr.Sanjeev Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 11-08-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 304 and 34 of the Indian Penal Code.

The informant alleges that the petitioner along with one another accused committed negligence while conducting operation on the patient on account of which the patient died.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and he is not a doctor rather he is a compounder in the nursing home of Dr. Amod, it is next submitted that merely because petitioner is compounder of Dr. Amod and the death took place in the nursing home as such he also came to be implicated. Learned counsel submits that the



informant realizing his mistake has filed a compromise petition before the learned trial court as would be evident from Annexure-2 to the anticipatory bail application.

Learned counsel for the informant very fairly submits that since the matter has been compromised between the parties on account of intervention of well-wishers, as such the informant does not object the present anticipatory bail application of the petitioner.

Learned A.P.P. for the State is present.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ballia P.S. Case No. 394 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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