

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34941 of 2022

Arising Out of PS. Case No.-307 Year-2019 Thana- BAKHTIYARPUR District- Patna

DR. RAGHUNATH PRASAD SON OF LATE DR. MADAN LAL
RESIDENT OF FLAT No.202, URMILA KUNJ APARTMENT, ARA
GARDEN ROAD, JAGDEO PATH, PATNA-14, P.S.- RUPASPUR,
DISTRICT- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioner 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.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is aged about 80 years, it is next submitted that informant alleges that on 19.09.2019 at about 2:00 pm, his daughter-in-law was pregnant and she felt pain in her stomach and, accordingly, she was taken to Jagdamba Polyclinic where she was treated and gave birth to a daughter, thereafter, alleges that informant was asked to give Rs. 60,000/-, thereafter, on 20.09.2019, at about 4:00 pm, his



daughter-in-law died in the hospital and informant was asked to procure ambulance for taking her to another hospital, it is next alleged that when she was taken out of the room, she was not breathing nor her pulse was functioning, it is next alleged that Raghunath Prasad (petitioner) along with other co-accused fled from the place of occurrence.

Learned counsel for the petitioner submits that petitioner is a Doctor and is a reputed Doctor for 80 years he had a blemish list practice and all of a sudden, he has been alleged to be a criminal by alleging that the patient died because of his negligence when admittedly petitioner is now not practicing nor the Jagdamba Polyclinic belongs to him, it is also submitted that since petitioner is a Doctor, as such, his name was written on the panel of the visiting Doctor and the deceased was treated by Doctor S.K. Singh, it is also submitted that petitioner suffers from several serious health ailment and is nearing his grave.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bakhtiyarpur P.S. Case No. 307 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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