

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44293 of 2021**

Arising Out of PS. Case No.-85 Year-2021 Thana- JHAJHA District- Jamui

DR KUMAR ANIKET Son of Dr. Kumar Binod Resident of Village -  
Vaidyanath Indane, Jasidih Bazar, P.O.- Jasidih, P.S.- Jasidih, Distt.- Deoghar,  
Jharkhand at Present Residing at Divine Clinic, Jhajha, P.S.- Jhajha, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bipin Bihari

For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

7      03-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The instant application for anticipatory bail has been  
filed by the petitioner apprehending his arrest in connection  
with Jhajha P.S. Case no. 85 of 2021 instituted for the offence  
under Sections 304, 34 of the Indian Penal Code.

As per allegation in the FIR, petitioner is a doctor  
without proper degree of Master in surgery. He has done  
caesarean operation upon the pregnant wife of the informant as  
a result of which she died.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. Petitioner is a medical officer in Sadar Hospital,



Deoghar with six year experience in the field of operation. He referred the patient for better treatment to higher centre since the condition of the patient was serious, on 24.03.2021, but due to economical condition, informant continued there and his wife succumbed to unbearable pain and breathlessness on 25.03.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Jhajha P.S. Case no. 85 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. , Jamui subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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