

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37247 of 2022

Arising Out of PS. Case No.-105 Year-2017 Thana- JALE District- Darbhanga

Dr. Vinod Gupta @ Dr. Vinod Kumar Gupta Son Of Bhagwan Das Gupta
R/O- Flat No.-304, Sri Jadish Residency, Shanti Niketan, Colony, P.S.-
Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2022 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 418, 419, 420, 304 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that he had taken his uncle to Shivam Hospital for treatment of piles, there the doctors took him for operation but after operation his condition deteriorated and became serious and when the informant inquired about doctors, he came to know that the doctors, including the compounder, had fled, further his uncle was declared dead at D.M.C.H.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that petitioner is aged about 66 years and is presently posted at N.M.C.H. Patna as an Associate Professor, (Surgery Department), it is also submitted he has never visited Jaale or operated any patient there. Learned counsel submits that petitioner has no concern with Shivam Hospital and it appears that his name was being utilized by the doctors who were running the said hospital by putting his name on the banner of the hospital based on which the informant implicated him, it is next submitted that during the course of investigation it has also come that wife of the deceased has stated before the police that the doctors who conducted the operation on her husband were in the age group of 26-27 years and 25-30 years, this fact also corroborates the fact that the petitioner was not present at the place of occurrence when admittedly he is an Associate Professor and is aged about 66 years, it is also submitted that allegations are general and omnibus in nature that the doctors and compounder fled.

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 Court below 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 court below where the case is pending/successor court in connection with Jale P.S. Case No. 105 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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