

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45581 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- ROHTAS District- Rohtas

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JITENDRA KUMAR VERMA @ DR. JITENDRA KUMAR VERMA Son of
Late Subedar Mahta Resident of Village - Dadhapa Utarwari Bigha, P.S.-
Kutumba, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narain, Sr. Advocate
Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 24-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Rohtas
(Amjhor) P.S. Case No. 84/ 2020 registered for the offence
punishable under Section 304 of the IPC.

The gist of the prosecution case is that informant's
wife was admitted at Surya Clinic, Saraiya due to pain in
stomach where petitioner advised for some clinical test. It is



further alleged that petitioner and his wife after getting the report operated the uterus of informant's wife. Later on, her condition started deteriorating and again she was taken to operation room and after three hours petitioner's wife discharged her in the name of better treatment. The informant's wife was taken to nursing home of Dr. Birendra where after examination she was declared dead.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that there is no any cheat of paper on record regarding treatment of informant's wife at Surya Clinic. He further submits that petitioner is in custody since 16.03.2021.

The learned Additional Public Prosecutor on the basis of material available on the record and the case diary submits that there is specific allegation against the petitioner that without any valid degree of doctor he treated the informant's wife and she died during course of treatment. He further submits that in para-4 and 8 of the case diary witnesses also supported the prosecution version.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail and accordingly, the same stands



rejected.

However, the learned trial court is directed to expedite
the trial.

(Rajesh Kumar Verma, J)

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