

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56727 of 2021

Arising Out of PS. Case No.-565 Year-2020 Thana- TEKARI District- Gaya

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1. SURENDRA PRASAD Son of Late Bholi Singh Resident of village - Murar Bigha, P.S.- Konch, Distt.- Gaya.
 2. UJJAWAL KUMAR Sonof Surendra Prasad Resident of village - Murar Bigha, P.S.- Konch, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Sinha 2

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Tekari P.S. Case no. 565 of 2020 instituted for the offence punishable under Section 313/34 of the Indian Penal Code.

Submission is that initial treatment was done by Dr. Varun Kumar Sharan though allegation is that the petitioner was also involved with Dr. Varun Kumar Sharan. Thereafter, the victim undergone treatment at different places including at Gaya and PMCH, Patna.

Submission is that the Doctor has found death due to



septicemia.

Evidently, even if it is assumed that this is a case of medical negligence, no direct attribution is there against the petitioner and petitioner has got no criminal antecedent.

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 petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Tekari P.S. Case no. 565 of 2020, they 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 Judicial Magistrate, 1st Class, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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