

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2324 of 2023

Arising Out of PS. Case No.-205 Year-2022 Thana- SAHPUR District- Bhojpur

DR. USHA PANDIT Wife of Krishna Kumar Pandit R/V- Karnamepur, P.S-
Shahpur, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mr. Ranjeet Kumar Singh
For the Opposite Party/s	:	Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-04-2023 Heard learned counsel for the parties.

The petitioner apprehends her arrest in a case registered for the offence under Sections 304, 420, 34 of the Indian Penal Code.

As per the prosecution case, due to improper treatment and operation, the sister-in-law (सरहज) of informant died in the hospital of the petitioner.

It is submitted on behalf of petitioner that the victim herself had gone to the hospital of petitioner where her treatment was done and petitioner had advised her not to operate, as per her physical condition, but the informant himself made pressure upon the doctors to make operation of diseased, as a result of which, she died. At best, it is a case of medical negligence and as such, neither Section 304 nor 420 of the I.P.C. is applicable in this case. Petitioner is lady and has got clean



antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Shahpur P.S. Case No. 205 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

