

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45099 of 2023

Arising Out of PS. Case No.-307 Year-2019 Thana- BAKHTIYARPUR District- Patna

1. Punam Kumari @ Dr. Punam Singh wife of Ram Ishwar Yadav R/o- Jagdamba Pauli Clinic PS- Bakhtiyarpur Dist- Patna
2. Ashvind Kumar son of Rajnandan Paswan R/o- Jagdamba Pauli Clinic PS- Bakhtiyarpur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 304/34 of the Indian Penal Code.

3. As per prosecution case, on 19.09.2019 at about 2:00 pm, pregnant daughter-in-law of the informant felt pain in her stomach and accordingly, she was taken to Jagdamba Polyclinic where she was treated and gave birth to a daughter and there informant was asked to give Rs. 60,000/-. On 20.09.2019 at about 4:00 pm, his daughter-in-law died in the hospital.



4. It is submitted that petitioners have been made accused merely because they happen to be visiting doctors of the clinic in question. Admittedly, the deceased was operated by Dr. S.K. Singh having medical degree of M.B.B.S. and these petitioners have got nothing to do with the alleged occurrence. Similarly situated co-accused, namely, Dr. Raghunath Prasad has already been granted anticipatory bail by co-ordinate Bench of this Court *vide* order dated 28.11.2022 passed in Cr. Misc. No. 34941 of 2022. Petitioners have got clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Barh, Patna in connection with Bakhtiyarpur P. S. Case No. 307 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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