

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52850 of 2022**

Arising Out of PS. Case No.-56 Year-2022 Thana- ANGARGHAT District- Samastipur

Nawal Kishor Prasad Singh Son Of Late Nand Lal Sharma R/O Vill.- Harpur,
Rewari, P.S.- Angar Ghat, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shubhesh Pandey
For the Opposite Party/s :	Mr. Arun Kumar Pandey
	Mr. Prashant Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 28-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 304 of the
Indian Penal Code.

Allegation against the petitioner is that he, without
having any license of medical practitioner, gave wrong
treatment to the son of the informant as a result he died.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner is not a doctor and there was
no evidence in the entire case of prosecution showing the fact
that he has treated anyone. He submits that the petitioner is
serving in the medical department even after retirement of



contractual basis and posted in the Bibhutipur. He submits that the petitioner has done no wrong with the son of the informant. He submits that the son of the informant has been brought to the petitioner in the night and he only gave him a pill of pain killer after which the son of the informant went away to his house. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and learned counsel for the informant oppose the prayer for bail and submit that the petitioner without having any license gave wrong treatment to the son of the informant.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Angarghat P.S. Case No. 56 of 2022.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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