

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 657 of 2022

Dr. Saurabh Prasad @ Saurabh Prasad Petitioner
Versus

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Mohit Prakash, Advocate
 For the State : Mr. Satish Prasad, A.P.P.

04/Dated: 02/05/2022

Learned counsel for the petitioner shall array the informant as O.P. No. 2 in the petition in course of day.

Learned counsel for the petitioner submits that the petitioner is a practicing doctor at Gumla. He further submits that surgery was done upon the deceased, thereafter he died. Pursuant to that F.I.R. was lodged by the informant. He submits that police investigated the case and submitted chargesheet wherein petitioner has not been sent up for trial. He further submits that no protest petition has been filed inspite of that learned court below took cognizance under section 304-A I.P.C. He submits that petitioner was discharging his duty and he has taken utmost care. He submits that no case under the I.P.C. is made out against the petitioner. He refers to judgment in the case of **"Jacob Mathew Vs. State of Punjab and Another"** reported in **2005 CRI. L. J. 3710 SC**.

Let notice be issued upon O.P. No. 2 under registered cover with A/D as well as by ordinary process, for which requisites etc. must be filed within two weeks.

There shall be stay of further proceeding in connection with Gumla P.S. Case No. 292 of 2019, corresponding to G.R. No. 503 of 2021, pending in the Court of learned Chief Judicial Magistrate, Gumla till the next date.

State shall take instruction and file counter-affidavit within four weeks.

Let this matter appear on 29.09.2022.

(Sanjay Kumar Dwivedi, J.)