

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57397 of 2024

Arising Out of PS. Case No.-365 Year-2023 Thana- PIRO District- Bhojpur

Rama Shankar Singh Son of Sri Kashi Nath Singh R/V- VILLAGE-
KALINAGA, BARA ROAD PIRI, AT AND P.S.- PIRO AND DISTT.-
BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-10-2024 1. Heard learned Senior Counsel for the petitioner,

learned counsel appearing on behalf of the informant and Mr.

Chandra Bhushan Prasad learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 304 and 120(B) of the
Indian Penal Code.

3. Learned Senior Counsel for the petitioner submits
that petitioner is a person with clean antecedent and the
informant alleges that his wife Priya Kumari was pregnant and
her expected date of delivery was 12.08.2023 but on
07.08.2023, at about 02:30 a.m., his wife suffered labor pain and
the informant intended to take her to Ara for treatment when co-
accused came and repeatedly requested him to take his wife to
Maa Kripa Emergency Hospital, Piro, accordingly, the



informant reached Maa Kripa Emergency Hospital where the Doctors and assistant present stated that the case is serious in nature and, thus, requires operation. Accordingly, the wife of the informant was operated, at about 05:30 a.m., thereafter it is alleged that the informant and his family members were informed that the wife of the informant has delivered a still born child and her bleeding is not stopping and the accused persons including the petitioner asked the informant to go to Maa Sharda Hospital and thereafter kept all the documents. It is next alleged that at Maa Sharda Hospital, Ara the informant's wife was given some medicine and was referred to JDM Emergency Hospital, Patna where she was admitted and, at about 12:30 a.m., the wife of the informant was declared dead.

4. Learned Senior Counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner is a sleeping partner in Maa Kripa Emergency Hospital. It is next submitted that the petitioner is not a Doctor.

5. Learned A.P.P. for the State submits that in compliance of the order dated 18.10.2024, the SHO and the IO of the case are present in the Court. It is further submitted that during the course of investigation, it transpired that petitioner is



the owner-cum-compounder of the said Maa Kripa Emergency Hospital, Piro. It is next submitted that during the course of investigation, it also transpired that the hospital is not a registered hospital and, thus, is running without registration. Learned A.P.P. further submits that such hospitals have mushroomed in the State of Bihar and are only interested in earning money and are least bothered with the life of the innocent citizen. It is also submitted that though a plea has been taken by the petitioner that he is a sleeping partner in the hospital but then during the course of investigation, it transpired that he is one of the owners of the said hospital.

6. At this stage, learned Senior Counsel appearing on behalf of the petitioner submits that petitioner is not a Doctor, as such, he was not associated with the operation of the deceased.

7. On query of the Court as to whether charges have been framed against the petitioner or not.

8. Learned Senior Counsel fairly submits that charges till date have not been framed.

9. In view of the submissions made by the learned A.P.P., the Court is not inclined to release the petitioner on bail in connection with Piro P.S. Case No. 365 of 2023 pending in the Court of learned Additional Chief Judicial Magistrate-4,



Bhojpur at Ara/Successor Court.

10. Hence, the prayer for bail is rejected.

11. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

12. The personal appearance of the SHO and the IO of the case is dispensed with.

(Satyavrat Verma, J)

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