

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72186 of 2024

Arising Out of PS. Case No.-601 Year-2023 Thana- BAGHA District- West Champaran

Dr. Subhada Singh @ Dr. Shubhada Shivling Nanaware D/O-Naanewar
Shivlingh Rajaram @ Shubhada Shivaling Nanawar Resident of 495-b Karaje
Peth Near Jakat Naka Satara, P.S. -Satara, District-Satara (Maharashtra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-10-2024 Heard Sri Saroj Kumar Sharma, learned counsel for
the petitioner and Sri Pramod Kumar Pandey, learned A.P.P. for
the State.

2. The petitioner apprehends her arrest in a case
registered for the offence under Sections 304, 336/34 of the
Indian Penal Code and Section 16 of the Bihar Clinical Act,
2007.

3. In the F.I.R., the informant, who is also a Medical
Officer in the Town Primary Health Centre, Bagaha, has alleged
that due to improper treatment by this petitioner, one Sohan Sah
was forced to take his wife to some other hospital, where the
doctor has declared his wife dead.

4. Learned counsel for the petitioner submits that
petitioner is a doctor, having qualification of M.D. Physician,
MS – Obstetrics & Gynaecology. Learned counsel for the



petitioner further submits that at best, it is a case of negligence. There is difference between negligence and criminal negligence. Only criminal negligence is punishable. Similarly situated co-accused Dr. Kamarujjama has been granted anticipatory bail by this Court, vide order dated 20.02.2024 passed in Cr.Misc. No. 8152 of 2024. Petitioner claims clean antecedent.

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

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of eight 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 Sessions Judge, West Champaran / concerned Court in connection with Bagaha P.S. Case No. 601 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

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

