

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3980 of 2024**

Arising Out of PS. Case No.-365 Year-2023 Thana- PIRO District- Bhojpur
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RENU DEVI WIFE OF MANOJ PANDIT RESIDENT OF VILLAGE - NAWADIH,
P.S. - SIKARHATA, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-02-2024 1. Heard learned counsel for the petitioner and the learned A.P.P. for the State along with learned counsel appearing for O.P. No.2.
2. The petitioner seeks bail in anticipation of her arrest in a case registered for the offences punishable under Sections 304 and 120(B) of the Indian Penal Code.
3. In the nature of allegation as alleged in the F.I.R., this Court is not inclined to consider the anticipatory bail application of the petitioner for the reason that the informant alleges that his wife was pregnant and the expected date of delivery was 12.08.2023 but labour pain started on 07.08.2023 and when he was taking his wife to the hospital but then this petitioner, who happens to be



ASHA worker taken his wife to Maa Kripa Emergency Hospital where both the child and mother died.

4. The learned counsel for the petitioner submits that neither the petitioner happens to be a doctor nor she conducted the operation of the victim and she is not involved in the occurrence in any manner. It is next submitted that at best, it was the petitioner who had been insisting the informant to take his wife to a particular hospital where the mother and the child, unfortunately, died.

5. The Learned A.P.P. for the State and learned counsel appearing for opposite party No.2 opposed the anticipatory bail application of the petitioner. It is submitted on behalf of O.P. No.2 that the petitioner took his wife to the hospital where the petitioner had recommended wherein the occurrence took place. It is also submitted that the informant never intended to go to Maa Kripa Emergency Hospital rather he was going to Ara for treatment but on the intervention of the petitioner, the patient was taken to the hospital in question. It is also submitted that it has now become rampant in the villages that for the purpose of meeting medical exigencies, the village women are indulging in such type of practice for obtaining commission from the



private hospitals.

6. Considering the submissions made by the learned counsel for opposite party No.2, this Court is not inclined to grant the privilege of grant of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

(Satyavrat Verma, J)

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