

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86180 of 2023

Arising Out of PS. Case No.-352 Year-2023 Thana- RANIGANJ District- Araria

Ranjana Devi, aged about 40 years (F), wife of Niru Mehta @ Niranjan Mehta, R/o village- Bistoliya, P.S- Raniganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Raniganj PS Case No.352 of 2023 dated 09.09.2023, instituted under Sections 384, 385, 304/34 of the Indian Penal Code.

3. The allegation against the petitioner, who is the Asha Worker, is that she along with another Asha Worker took the deceased to the private Nursing Home of Dr. Avinash Kumar @ Shubham where she gave birth to a female child and thereafter the condition of the deceased deteriorated. When the family members of the deceased requested for referring the patient to higher center, the doctor of the nursing home demanded Rs.25,000/- out of which the informant paid



Rs.22,000/- but the doctor refused to refer the patient to higher center until and unless all dues are cleared. In the meanwhile, the deceased died and thereafter the accused persons fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner is the resident of Bistoliya Panchayat Ward No.14, PS- Raniganj and she is the Asha Worker of Ward No.04, whereas, the informant and the deceased are the resident of Mirzapur Kothi Panchayat, Ward No. 12, PS- Simraha. There is no connection of the petitioner with the informant and she is in no way concerned with the deceased or her family members. It is further submitted that deceased Rita Devi came to the hospital on 07.09.2023 at 10.00 AM and on 08.09.2023 at 8.00 AM she went to Nursing Home of Dr. Avinash Kumar @ Shubham at the instance of Urmila Devi and the petitioner and on 09.09.2023 at 8.00 AM the patient was referred to higher center. As alleged in the FIR, it is clearly evident that after operation by the Doctor, the condition of the patient was serious. Entire activities have been recorded in the CCTV Camera. It is further submitted that the patient was operated by the doctor and the petitioner had no role to assist the doctor in medical treatment. Lastly, it is submitted that the



petitioner is a lady having no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria, in Raniganj PS Case No.352 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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