

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4200 of 2025

Arising Out of PS. Case No.-184 Year-2023 Thana- ISUAPUR District- Saran

Dr. Rahul Kumar @ Rahul Kumar Kuwar S/O Binod Kunwar @ Binod
Kumar Kunwar @ Vinod Kunwar R/O Village- Harihara, P.S- Phulwaria,
Distt.- Gopalganj (Bihar). Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manoj Kumar Singh, Advocate
:	Mr. Madhav Kumar, Advocate
:	Mr. Aayush Abhishek, Advocate
:	Mr. Ankit Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-06-2025 Heard Mr. Manoj Kumar Singh, learned counsel for

the petitioner and Mr. Nand Kishore Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ishuapur P.S. Case No. 184 of 2023, F.I.R. dated 12.07.2023 for the offences punishable under Sections 304 and 34 of Indian Penal Code.

3. As per the First Information Report, the informant alleged that her daughter-in-law, namely, Pushpa Devi (now, deceased) died due to negligence in treatment given by the petitioner.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. Infact the petitioner is a qualified MD physician and he is running a nursing home in the name of Jagdamba Hospital at Saran and petitioner has requested the family member of the deceased that he is not in a position to perform the treatment of the deceased but the family members of the deceased did not agree and she died without any treatment. He further submits that petitioner or any other member of the hospital did not examine the victim and suggested that the victim may be referred to other place.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and he did not performe any treatment, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Saran, Chapra in connection with Ishuapur P.S. Case No. 184 of 2023, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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