

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9725 of 2025**

Arising Out of PS. Case No.-103 Year-2024 Thana- DEV District- Aurangabad

Santlesh Kumar @ Santaresh Paswan @ Santlesh Paswan @ Santlesh Kumar
Kumar Singh Son of Tuna Prasad @ Tuna Paswan Village -Bariyawa
Dhanagar Bigha, PS -Mali District -Aurangabad

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
Mr.Bhaskar Shankar, Advocate
For the Opposite Party/s : Mrs.Madhuri Lata, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

- 329-05-2025
1. Heard Mr. Krishna Pd. Singh, learned Senior
counsel appearing for the petitioner and learned APP for the
State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Deo P.S. Case no.103 of 2024
registered under sections 304 and 34 of the Indian Penal Code.

3. As per the F.I.R. on 28.04.2024 at about 05:00 A.M.
the informant took his pregnant wife Kiran Kumari to Magadh
Clinic at Bahuara More. At the clinic, Dr. Santlesh Kumar
(petitioner), Anjani Kumar Singh along with other co-staffs



treated his wife. It is further alleged that due to wrong treatment, the condition of the informant's wife started deteriorating. Seeing the deteriorating condition all the doctors misled the informant by making different excuses and fled away from there leaving the patient in the same condition. On suspicion the informant went inside and saw his pregnant wife was lying dead. It is alleged that his wife died due to negligence in the treatment and operation.

4. Learned senior counsel for the petitioner submits that the petitioner is not concerned with the alleged occurrence or even with the said Magadh Clinic in any manner rather the petitioner works at Shital Nursing Home Private Ltd. under Dr. Quadir Parwez as a ward attendant since November, 2015 which is evident from the certificate issued to him (Annexure-2). It has further been submitted that the postmortem report of the victim/ informant's wife clearly shows that no external injury has been found on the body of the deceased which proves that she was not operated by any doctor and the cause of death is due to forceful contraction and relaxation during labour pain. From perusal of the postmortem report, it is evident that the deceased died due to rupture of uterus as she was pregnant and that is the reason that the victim deceased was brought for medical help



after much delay when her medical condition deteriorated after breaking of the uterus wall. The petitioner has been implicated due to rivalry between clinic operators who want to malign the image of Shital Nursing Home where the petitioner works as a ward attendant. The petitioner is in custody since 30.11.2024 and undertakes to co-operate in the case/trial. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State on the ground that due to negligence of this petitioner, the informant's wife died.

6. Taking into consideration the rival contentions of the parties and also considering the fact that the petitioner is in custody since 30.11.2024 and charge-sheet has been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Deo P.S. Case no.103 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad on the following condition that the petitioner shall remain physically present in the learned trial Court on each date and shall cooperate in the trial. In case the petitioner is absent on two consequent dates without sufficient reason causing undue delay in trial, the



learned trial Court would be at liberty to cancel the bail bonds of
the petitioner.

(Soni Shrivastava, J)

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