

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25684 of 2023

Arising Out of PS. Case No.-146 Year-2015 Thana- UCHKAGAON District- Gopalganj

SURENDRA BHAGAT @ BHAGAT @ SURENDRA SINGH S/O LATE
SEWAK SINGH @ SEWAK BHAGAT Resident of Village- Barari Jagdish
P.S.- Uchakgaon, District- Gopalganj

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Umarawat Devi Wife of Bhupendra Mahto R/V- Village- Barari Jagdish,
P.S.- Uchkagaon, Distt.- Gopalganj
3. Union of India, Through Lieutenant General Armed Command Hospital
Pune, Maharashtra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Harendra Prasad, Advocate. Mr. Harshit Modi, Advocate. Mr. Saurabh Kumar, Advocate.
For the State	:	Mr.Ganesh Prasad Singh, APP.
For the UOI	:	Mr. Arvind Kumar, Advocate. Mr. Deepak Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

16 18-02-2025 Heard Mr. Harendra Prasad, learned counsel along with Mr. Harshit Modi and Mr. Saurabh Kumar, learned counsel appearing on behalf of the petitioner; Mr. Ganesh Prasad Singh, learned APP for the State and Mr. Arvind Kumar, learned counsel along with Mr. Deepak Kumar, learned counsel appearing on behalf of the Union of India.

2. The information dated 20.12.2024 communicated by the Colonel, Command Hospital (SC), Southern Command, Pune is kept on record.



3. Petitioner was granted provisional bail vide order dated 24.11.2023 considering that the petitioner had suffered a paralytic stroke for which he was under treatment at Gopalganj and his son who was posted at Armed Forces Medical College, Pune hospitalized him for better treatment at Armed Forces Medical College, Pune.

4. This Court vide order dated 10.01.2025 had observed that the petitioner was discharged from hospital and he was only required for routine check up from time to time for which he had last visited for check up on 09.02.2024. This Court taking into consideration the information contained in Letter dated 20.12.2024 communicated by the Command Hospital (SC), Southern Command, Pune had observed that the petitioner is only undergoing routine check up from time to time and posted the matter for its hearing today.

5. Today, learned counsel appearing on behalf of the petitioner submits that the petitioner is 70% paralyzed and he requires routine check up and it is convenient for the petitioner to remain at Pune in the campus of Command Hospital (SC), Southern Command, Pune, where his son is posted till date.

6. From the report of the Command Hospital (SC), Southern Command, Pune dated 20.12.2024, as well as, from



the information given by the petitioner in the third supplementary affidavit, I find that the petitioner requires only routine check up, which can be provided to the petitioner even being in the jail considering the serious allegation against him under Section 302 IPC and allied sections.

7. The petitioner is directed to surrender before the learned District Court within three weeks from today. In case of failure of the petitioner to comply this order, the Superintendent of Police, Gopalganj is directed to take appropriate action.

8. The Jail Superintendent, Central Jail, Gopalganj is directed to get the petitioner checked from time to time at Government Hospital.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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