

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23092 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- SURYAPURA District- Rohtas

Pushpa Kumari @ Pushpa Devi W/o Rajendra Singh R/o Village- Barun, PS-
Suryapura, Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rang Nath Dwiwedi

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-05-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Shri Chandra Bhushan Prasad.

2. The petitioner apprehends her arrest in connection
with Suryapura P.S. Case No. 09 of 2025 registered for the
offences punishable under Sections 105 and 3(5) of the
Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and in sum and substance,
the informant alleges that petitioner is a nurse and is alleged to
have operated the wife of the informant, who was pregnant,
along with two other named accused in the FIR, and on account
of operation conducted, both mother and child died.

4. Learned counsel for the petitioner next submits that
petitioner has been falsely implicated in the instant case by the



informant. It is further submitted that petitioner is not a nurse rather is a sweeper and she was appointed in the hospital on contractual basis for sweeping and mopping. It is also submitted that co-accused, Madhuri Devi had approached this court seeking anticipatory bail by filing Cr. Misc No. 20773 of 2025 and the same was allowed by an order dated 28-4-2025 by a learned Coordinate Bench, as such claiming parity the learned counsel seeks anticipatory bail.

5. Learned A.P.P. for the State, Shri Chandra Bhushan Prasad, vehemently opposes the prayer for anticipatory bail of the petitioner and submits that it is the case registered under Section 304 IPC read with other sections. It is next submitted that no doubt Madhuri has been granted the privilege of anticipatory bail by a learned Coordinate Bench, but then the allegation against Madhuri in the FIR, is that she had merely asked the informant to take his wife to the concerned clinic where the occurrence took place and she was not involved in the operation. It is further submitted that informant specifically alleges that this petitioner along with two others operated his wife leading to death of the child and the mother both. It is also submitted that it absolutely does not stand to reason that why a husband would falsely try to implicate someone who was not



involved in the occurrence of the death of his wife and the child.

6. After hearing the learned counsel for the parties, the Court is in complete agreement with the submission made by learned APP, as such, is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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