

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25430 of 2025

Arising Out of PS. Case No.-591 Year-2024 Thana- GHOSI District- Jehanabad

Niraj Kumar Son of Ramashray Sharma R/O Vill- Vajitpur, P.S.- Ghosi,
District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 30-06-2025 Heard Mr. Shivendra Prasad, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ghosi P.S.Case No.591 of 2024, FIR dated 08.12.2024 registered for the offences punishable under Section 105 of the B.N.S., 2023.

3. As per the prosecution case, it is alleged that the husband of the informant was treated by the petitioner negligently with incorporation of wrong medicine and injection, due to which he died.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present and the allegation as alleged in the FIR



is false and fabricated. The petitioner is owner of the medical shop, namely, Aditya Pharma and he has never treated the deceased and he has been made accused in the present case due to previous dispute between the family members of the informant and the petitioner. In fact, the husband of the informant was under treatment of Sawan Emergency Hospital, Bhoot Nath Road, Kankarbagh, Patna, since 03.12.2024, which suggests that the allegation that the petitioner has treated the husband of the informant is false. Apart from that, the FSL report does not support the allegation as alleged in the FIR.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that the petitioner has clean antecedent and the FSL report does not support the allegation as alleged in the FIR, let the petitioner, above named, in the event of his 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 learned C.J.M., Jehanabad in connection with Ghosi P.S. Case No.591 of 2024, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure/under Section 482(2) of the B.N.S.S., 2023 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 bonds shall be cancelled by the Court below.

(II) If the petitioner tamper 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 antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

anand/-

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