

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40363 of 2025

Arising Out of PS. Case No.-145 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

=====

Prince Kumar Son of Sanjeev Sah R/o Village - Cheriabariyarpur, Dist.-
Begusarai, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rabish Kumar, Adv.
		Mr. Rahul Deo Varman, Adv.
For the Opposite Party/s :		Mr. Mohammed Arif, APP

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner seeks bail in connection with Cheriabariyarpur P.S. Case No. 145 of 2024 dated 05.08.2024 registered for the offence punishable under Sections 105, 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on the date of occurrence the finger of the informant's son got cut and he went to get a tetanus injection at the clinic of the petitioner. After getting injection by the petitioner and his Compunder, the informant's son started sweating profusely and started writhing in agony and died in the way to



Begusarai.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the date of occurrence is of 02.08.2024 but the F.I.R. has been lodged on 05.08.2024 after three days of the occurrence. It is submitted that there is no eye witness to the alleged conspiracy or pre-existing common intention between the petitioner and other accused persons. of medical treatment causing death. It is submitted that upon investigation, the police submitted charge-sheet under Section 106(1) of B.N.S. (negligence) which is a bailable offence but the learned Magistrate took cognizance under Sections 105, 61(2) and 3(5) of the B.N.S., 2023. It is submitted that the petitioner is a rural medical practitioner engaged in medical practice, rendering essential healthcare services in rural area. Lastly, it has been submitted that the petitioner is in custody since 12.03.2025, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Manjhaul, Begusarai in connection with Cheriabariyarpur P.S. Case No. 145 of 2024.

(Khatim Reza, J)

prabhat/-

U		T	
---	--	---	--

