

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44687 of 2025

Arising Out of PS. Case No.-165 Year-2023 Thana- THAKURGANJ District- Kishanganj

Mahesh Kumar Ganesh S/o Kailash Prasad Ganesh R/o vill- Milik Tola,
Kharudah, Thana- Powakhali, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Thakurganj P.S. Case No. 165 of 2023 for the offence under Sections 419, 420, 188, 304, 120(B) and 34 of the Indian Penal Code and Sections 40, 41 (1 and 2) Clinical Establishment Act.

3. As per the prosecution story, the informant being incharge Medical Officer of Primary Health Center, Thakurganj, has alleged that on 16.06.2023 death of one *Sania Begam* occurred in Life Care Nursing Home which was illegally run at Jilebia More under Thakurganj Block. A joint team report was submitted and the District Magistrate, Kishanganj vide his letter no. 1785 dated 05.07.2023 directed to lodge F.I.R. against



managers of the said nursing home i.e. three accused persons including the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent having committed no offence whatsoever and has been falsely implicated in this case due to local politics and ulterior motive due to high handed persons of the locality. All the allegations leveled against the petitioner is concocted, manipulated and absurd. It is relevant to mention that there is no any complaint has been made against the petitioner by any private person or the family members of the deceased. The petitioner has no role in this case and apart from being the founder of the hospital, there is nothing else against the petitioner.

5. Learned APP opposes the prayer for bail.

6. During the course of argument, learned counsel for the petitioner failed to produce any valid documents to show that “Life Care Nursing Home” was operating legally. According to the First Information Report (FIR), the nursing home was being run without proper authorization and deceased namely, *Sania Begam* died in that nursing home which was being run by the petitioner along with other co-accused persons. Since the investigation is still going on, this Court is not



inclined to extend him the privilege of anticipatory bail.

7. Accordingly, the prayer of anticipatory bail stands
rejected.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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