

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62904 of 2025

Arising Out of PS. Case No.-135 Year-2024 Thana- RAFIGANJ District- Aurangabad

Surjeet Kumar Chandrawanshi @ Dr. Surjeet Kumar S/o- Ram Pravesh Prasad, Resident of Village- Khaira Sarim, P.S.- Aurangabad Muffasil, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 10-11-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rafiganj P.S. Case No. 135 of 2024, dated 04.04.2024 registered for the offence punishable under Section 304 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have operated the mother of the informant without having a degree of surgeon.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. As per the impugned order, it is apparent that petitioner is no way concerned with the Apollo Hospital and operation was performed by another doctor. A compromise petition has already been filed before the learned Chief Judicial Magistrate, Aurangabad. The petitioner has got no criminal antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 29.07.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the patient was operated at the hands of the petitioner after which she reportedly started experiencing severe pain and instead of referring the her to a proper medical facility for emergency care, the petitioner took her away in an ambulance to an undisclosed location and after some time her dead body was returned without any explanation which raised serious concerns of gross medical negligence and foul play. The *post-mortem* was conducted on the dead body of the deceased and the cause of death was due to septicaemia and septic shock in post operative treatment phase of operative treatment. It is further submitted that the petitioner did not produce his medical certificate showing that he was a doctor. It is further submitted that the petitioner had the requisite knowledge that his act was likely to cause her death.



6. Considering the aforesaid facts and circumstances of the case as well as finding no merit in the contention of learned counsel for the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. Learned Trial Court is directed to expedite and conclude the trial at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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