

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71836 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- JALE District- Darbhanga

Shambhu Singh @ Shambhu Prasad Singh S/O Jay Sridhari Singh R/O Vill.-
Jogiyara Jaale, Ward No-01, P.S.- Dharbhanga District- Dharbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv
Mr. Karu Kumar, Adv
Mr. Subh Raj, Adv
For the Opposite Party/s: Mr. Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-12-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Sri Rajendra Singh Shastri.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 105, 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that *asha* worker, Renu Devi, on 17-3-2025 came to his house and asked his wife to accompany her for delivering the child and took her to Om Ishant Dev Hospital without the consent of the informant, it is further alleged that informant wanted to take his wife to a government hospital, further in the private hospital nurse gave injection on account of which his



wife developed reaction all over her body, thereafter his wife was taken to OT where she was operated but her condition deteriorated and a still born child was handed over to the informant, further the hospital asked the informant to deposit Rs. 48,000/- and to get blood, but he informed the police, thereafter his wife was taken to a government hospital, where doctors disclosed that his wife was wrongly operated and her uterus has been removed and she remained admitted for 7 days, thereafter came home.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the FIR, it would manifest that the date of occurrence is 17-3-2025 and the FIR came to be instituted on 29-3-2025, i.e., after a delay of 12 days without any plausible explanation. It is further submitted that a specific pleading has been made at para-7 that petitioner is running the aforesaid nursing and is not a doctor rather Dr. Shailendra Kishore, MBBS and Dr. Arun Kumar Thakur, M.S. Surgeon, who work in the said hospital had attended and treated the patients. It is also submitted that since the petitioner is owner of the aforesaid private hospital, as such he came to be implicated when he had absolutely no role in treating the wife of



the informant. It is next submitted that what is not in dispute rather stands admitted is that wife of the informant was subsequently discharged from a government hospital as alleged in the FIR and as far as allegation of removing uterus is alleged that is a subject of investigation in accordance with law. It is further submitted that the child born to the wife of the informant was still born, as such the informant got agitated and informed the police and thereafter admitted his wife in a government hospital. It is also submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jale P.S. Case No. 65 of 2025, subject to the conditions as laid down under Section



482 (2) of the BNSS.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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