

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70460 of 2025

Arising Out of PS. Case No.-368 Year-2025 Thana- BHAGWAN BAZAR District- Saran

1. Sobrati Ahmad @ Ahmad Ali S/o Gulab Hussain R/o- Vill- Nawada, P.S- Rasulpur, Dist- Saran
2. Anant Kumar Verma S/o Late Gaya Lal Verma R/o vill - Kuldeep Nagar, P.S.- Chapra Town, Distt.- Saran
3. Pappu Kumar Yadav @ Pappu Yadav S/o Yadubansh Ray r/o vill - Tenua, P.S.- Chapra Muffasil, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paritosh Parimal, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in connection with Bhagwan Bazar P.S. Case No. 368 of 2025, dated 30.06.2025, lodged under Sections 105 & 106 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, the informant has disclosed that his niece (bhagini) was admitted at Vaidehi Arogya Sadan for an operation of the gall-bladder at the instance of one Kishan Sharma, who happens to be the doctor. It has been alleged that



the gall-bladder was operated by Dr. B.N. Sinha (petitioner No. 1) and Dr. Anju Sinha (petitioner No. 2), assisted by the staff of Vaidehi Arogya Sadan. The allegation of medical negligence is there in the FIR, which resulted in the death of the niece (bhagini) of the informant, and due to this reason, the present FIR has been lodged.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that the petitioners are the staff of the said clinical establishment, namely Vaidehi Arogya Sadan at Chapra. He further submits that the operation was performed by Dr. K.P. Singh Nirala, who happens to be the General Surgeon and the petitioners are not at fault, as they are the staff of the said clinical establishment.

5. Learned APP for the State opposes the prayer for bail of the petitioners and fairly submits that if the petitioners are working in a valid licensed hospital then in that case they are not at fault.

6. As such, in the present facts and circumstances of the case, the present application is hereby disposed of with a direction to the petitioners to surrender before the Trial Court within four weeks. In case the petitioners surrender along with



the document of registration of their clinic under the Bihar Clinical Establishments (Registration and Regulation) Rules, 2013, or any other relevant rules in this regard, the Trial Court shall release them on bail, imposing its own conditions so that they may not avoid their appearance before the Trial Court. Otherwise, the Trial Court shall not be bound by the above direction and shall pass an order in accordance with law.

(Dr. Anshuman, J.)

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