

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75139 of 2024

Arising Out of PS. Case No.-775 Year-2023 Thana- FATUA District- Patna

Chintu Kumar Son of Sri Sunil Singh Resident of Village - Sudiha, Parsa, P.S.
- Fathwa, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhiraj Sagar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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

ORAL ORDER

3 11-02-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Fathua P.S. Case no. 775 of 2023 instituted for the offence under Sections 336, 420, 304/34 of the Indian Penal Code.

3. Prosecution case in nutshell is that on 8th October, 2023, the informant admitted his sister to 'Maa Nursing and Maternity Home' in Fathua for child delivery. At the time of admission, four male and one female staff members were present. The staff initially demanded Rs. 1.5



lakh but later insisted on consulting a senior doctor and demanded an additional amount of Rs. 50,000/-. The informant paid the initial requested amount. It is further alleged that when the informant returned to the nursing home at 10:30 PM, he found all the staff members had fled and he found his sister and newborn child dead on the bed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. It is further submitted that petitioner is a non-medical person and not a staff or member of the said nursing home. He has not been named initially in the case rather his named transpired during investigation of the case.

5. Learned APP appearing for the state has vehemently opposed the prayer of bail and submitted that from perusal of case diary, it appears that involvement of petitioner in the present case has surfaced in para 2, in which the re-statement of informant has been recorded. In his statement, he has specifically stated that petitioner was one of the partners along with other two partners and he demanded further amount for the operation. In paragraph 15 of the case diary, witnesses has stated that petitioner was



working as so called doctor in the said nursing home, where the victim has died and co-accused Dhananjay Singh was owner of the said nursing home. As per postmortem report (para 19 of the case diary), it is evident that cause of death was due to 'haemorrhage and shock due to PPH'.

6. Having heard the learned counsel for the parties and considering the gravity of offence and involvement of petitioner in the aforementioned incident, at present his role cannot be overlooked from the alleged offence. The investigation is still going on in this case. This court is not inclined to enlarge the petitioner on bail and, as such, his prayer for anticipatory bail stands rejected.

7. The petitioner is directed to surrender before learned court below and prays for regular bail, the same shall be considered by the court below, without being prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

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