

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75344 of 2025

Arising Out of PS. Case No.-351 Year-2025 Thana- KARAKAT District- Rohtas

Rajdev Kumar Singh @ Rajdev Kumar S/o- Rajeshwar Singh Village- Pathra
PO and PS-Tilauthu District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Nagendra Upadhyay, learned counsel
for the Petitioner and Mr. Damodar Prasad Tiwary, learned APP
for the State.

2. The petitioner apprehends his arrest in connection with Karakat P.S. Case No. 351 of 2025 dated 08.07.2025 registered for the offences punishable under Sections 105 and 3(5) of Bhartiya Nyaya Sanhita, (BNS) and Section 11 of the Clinical Establishments (Registration and Regulation) Act, 2010.

3. The main submissions advanced by the petitioner's counsel are that the petitioner has been made accused mainly on the ground that his wife is the owner of the building where on the ground floor in some rooms the Janta Nursing Home was being operated but in fact, the petitioner's wife had entered into



an agreement on 01.04.2025 with one namely Dr. Vijay Pratap Singh, an MBBS MD doctor and all activities concerned to the treatment of the patients were being made under the responsibility of the said doctor who is solely liable for any medical negligence, if any has been committed and in this regard, the said doctor has sworn in his own affidavit and produced the same before the Additional Chief Judicial Magistrate-1st Bikaramganj, Rohtas accepting his role in the cesarean-operation of the deceased and denying any role of the petitioner in the said medical treatment and in this regard, his affidavit's copy has been filed as Annexure-P-4 to the supplementary affidavit of this petition. It is lastly submitted that the petitioner has no criminal antecedent and there is nothing against him to connect with the commission of the alleged occurrence.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. In the facts and circumstances of this case, and considering the above stated facts mainly the petitioner's above defence which is supported by the deed of agreement which is said to have been executed between the petitioner's wife and one Dr. Vijay Pratap Singh and also coupled with the said doctor's



own affidavit denying the petitioner’s role in the alleged treatment in my opinion, it is a fit case for grant of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Karakat P.S. Case No. 351 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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