

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88748 of 2024

Arising Out of PS. Case No.-456 Year-2024 Thana- SARAIYA District- Muzaffarpur

Dr. Sunny Kumar @ Sunny Kumar S/o Sri Shankar Prasad Yadav R/o vill -
Laloo Chhapra, P.S. - Paroo, Distt. - Muzaffarpur, at present Aradhya
Emergency Clinic, Saraiya, Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mrs. Vaishnavi Singh, APP Mr. Ritwik Thakur, Adv.
For the State	:	Mr. Rabindra Kumar, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 14-07-2025 Heard Mr. Ajay Kumar Thakur, learned counsel appearing
for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 127(2), 115(2), 109, 76, 64, 62, 3(5), 75 of the Bhartiya Nyaya Sanhita, 2023.

3. The allegation in the FIR is that the victim had consumed pesticide and was taken to the clinic of the petitioner where she was taken in a room and the doctor and the compounder had gone inside the room whereafter the victim came out crying with a needle in her hand and upon enquiry, she stated that the petitioner had asked her to establish physical



relationship and upon her refusal, he used force and slapped her and pressed her neck.

4. Learned counsel for the petitioner submits that as it was a case of poisoning, the petitioner had directed the compounder to inform the local police and this was the fact which created the disturbance. The victim had fled away because she was frightened of the needle and the pipe and upon her examination under Section 183 of the BNSS, she has not made any allegation of any kind of misbehaviour as against the accused persons and has rather stated that she had got scared of the needle and the pipe and nothing more. It is further submitted that the age of the victim also appears to be more than 19 years. However, she has refused the medical examination. It is next submitted that in any view of the matter, it is not a case of any physical relationship having been established by the petitioner who is a doctor of repute.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Considering the entire facts and circumstances of the case and also that this petitioner has no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his



arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Saraiya P.S. Case No.456 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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