

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89348 of 2024**

Arising Out of PS. Case No.-196 Year-2024 Thana- SAHAR District- Bhojpur

- 
1. Dinesh Ram Son of Ramkeshwar Ram Resident of Village- Terra, P.S.- Karpi, Distt.- Arwal
  2. B. K. Singh @ Brajbhushan Kumar Son of Maheshwar singh Resident of Village- Barahi, P.S.- Sahar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar, Adv.  
For the Opposite Party/s : Mr. Lalan Kumar, APP

---

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      19-04-2025                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Sahar P.S. Case No. 196 of 2024 dated 31.10.2024, instituted for the offence punishable under Sections 105 and 3(5) of the Bharatiya Nyay Sanhita.

3. The case of the prosecution, in short, is that informant's wife was admitted in Sagar Emergency Hospital at about 2:00 PM on 26.10.2024 while she was experiencing labour pain. The Sagar Emergency Hospital is stated to be owned by petitioner Dinesh Ram (petitioner no.1) and B.K. Singh (petitioner no.2) is stated to be BAMS (Stree Rog



Visesyaga) Gynecologist. It is further alleged that through operation of the informant's wife a bay was born but the wife of the informant died during course of treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel for the petitioners further submits that it is true that petitioner no. 1 is the owner of Sagar Emergency Hospital and he use to run the hospital with the help of doctors as per the requirement and their availability. It is also submitted that petitioner no. 2 is not a doctor and he has never done any operation. It is further submitted on the date of alleged occurrence, the informant brought his wife for delivery but due to non-availability of the doctors, the staffs of the hospital refused to admit or give her treatment and advised the informant for taking his wife to Patna for better treatment but on refusal of the same by the petitioners, this case has been lodged. It is submitted that there is no post-mortem report to suggest that any operation was done in course of delivery of the baby. It is also submitted that both the parties have settled their dispute outside the court and in this regard a petition has been filed in the court below. Lastly, it has been submitted that they have no criminal antecedent.



5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Sahar P.S. Case No. 196 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

prabhat/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

