

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17753 of 2026

Arising Out of PS. Case No.-65 Year-2021 Thana- Kurth District- Arwal

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Mritunjay Mishra @ Mritunjay Kumar @ Dr. Mritunjay Mishra Son of
Akhileshwar Mishra @ Akhilesh Mishra Resident of Village - Chabura, P.S. -
Anti, District - Gaya, 824207.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 304/34 of the Indian Penal
Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 18.11.2025 and the informant alleges that his mother had
stomachache on 21.06.2021, hence, was taken to Maa Mangala
Hospital where the doctor, after examining her, asked to come
on 23.06.2021 for an operation, accordingly, he accompanied
his mother to the hospital on 23.06.2021 where, during the
course of operation, she died and the doctor along with the staff
fled away and, on inquiry, the name of the doctor transpired as



Dr. Mritunjay Mishra (petitioner).

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner is not a Doctor nor he operated the mother of the informant. It is next submitted that petitioner gives injection and does the work of compounder and does not run the Maa Mangala Hospital. It is also submitted that informant, after realizing his mistake, has filed an application in the Court of learned Chief Judicial Magistrate, Arwal dated 09.07.2025 wherein it is pleaded that the case was instituted on account of misunderstanding. It is submitted that Satish Mishra had approached this Court seeking anticipatory bail and the same was allowed vide order dated 29.08.2025 in Cr. Misc. No. 61369 of 2025 by this Court on which learned A.P.P. submits that Satish Mishra was distantly related to Dr. Mritunjay Mishra, as such, he was granted the said privilege but then in the instant case, it is alleged that it was petitioner who performed the operation. Learned A.P.P. further submits that petitioner has taken a plea that he is not a Doctor nor runs Maa Mangala Hospital but then the informant specifically alleges in the FIR that it was petitioner who had performed the operation. It is, thus, submitted that if the petitioner was not a Doctor why



he performed the operation of the mother of the informant.

5. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail in connection with Kurtha P.S. Case No. 65 of 2021 pending in the Court of learned Chief Judicial Magistrate, Arwal/Successor Court.

6. Hence, the prayer for bail is rejected.

7. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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