

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23723 of 2026

Arising Out of PS. Case No.-67 Year-2024 Thana- SIDHWALIYA District- Gopalganj

Sanjay Kumar @ Sanjay Kumar Chaudhari S/o Bikau Chaudhary @ Bikau Chaudhari @ Vikao Chaudharee R/o Village- Bariarwa Pipra, PS- Malahi, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awnish Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Sidhwaliya P. S. Case No. 67 of 2024 registered for the offences punishable under Sections 304/34 of the Indian Penal Code.

3. The prosecution story, in brief, is that 12-03-24 at about 04:30 p.m., wife of informant, namely, Lilawati Devi, aged about 35 years, went to the clinic of this petitioner near Brahima Mor to show her toothache but due to the doctor's negligence and wrong and improper treatment, informant's wife died in the clinic. After that, the compounder brought the dead wife of informant in a Bolero vehicle bearing registration no. B.R.29K-0103 to Sadar Hospital Gopalganj on the pretext of getting her treated and thereafter, he left her and fled away. Hence, the present F.I.R.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner is neither a doctor nor he runs any clinic. As a matter of fact, petitioner is a quack and had some experience as he had worked with a reputed physician for sometime. It is further submitted that informant came to the petitioner with a pre-purchased medicine and asked to inject the same to his wife as she was suffering from toothache and accordingly, petitioner injected the medicine in the arm of the deceased. But soon thereafter, she became unconscious and petitioner along with one Dipu Kumar assisted informant to take her to State Dispensary, where she was declared dead. Petitioner never prescribed the medicine to the informant and he only injected the same upon being asked by the informant and as such, he cannot be held responsible for the alleged occurrence. Simply because the patient has not responded favourably to the treatment, the doctor cannot be held liable for medical negligence. Petitioner claims clean antecedent and is in custody since 03.02.2026. Charge-sheet has already been submitted.

5. However, learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation, clean



antecedent and period of custody, this bail application is allowed. The petitioner, above named, is directed to 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 Additional Chief Judicial Magistrate 5th, Gopalganj in connection with Sidhwaliya P. S. Case No. 67 of 2024.

(Prabhat Kumar Singh, J)

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