

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31264 of 2026

Arising Out of PS. Case No.-124 Year-2026 Thana- KESARIA District- East Champaran

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Dipendra Kumar S/O Pramod Kumar @ Pramod Kumar Shrivastav Pro- Maa
Vaishnavi Pathology Center, Kesariya, Resident of village -Kesariya ward no
06, P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 15-07-2026 Heard the learned counsel for the petitioner and the

learned APP for the State.

2. The petitioner apprehends his arrest in
connection with Kesariya P.S. Case No. 124 of 2026, for
allegedly having committed offence under Sections 318(4), 338,
336(3), 340(2) and 61(2) of the BNS.

3. As per the prosecution story, which has been
lodged on the basis of the written report submitted by the
informant to the effect that one of the injured in Kesariya P.S.
Case No. 568 of 2023 procured two injuries reports in
connivance with the petitioner and the other co-accused persons
inasmuch as that in one of the injury report, the injuries were



mentioned as simple in nature, however in another injury report, the same was mentioned as grievous, caused by sharp cutting weapon. On the basis of the complaint submitted by the informant, the present first information report has been lodged against the petitioner and some others.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He submits that he is the proprietor of Maa Vaishnavi Pathology Centre at Kesariya and one doctor has been instructed/appointed to look after the Pathology Centre and for preparation of X-Ray as well as blood report and other reports. He further submits that the pathology Centre is registered by the State Government. It is further submitted that the injured, namely Sarfaraz Alam was referred by the doctor at PHC, Kesariya for having X-Ray and the X-Ray report of the said Sarfaraz Alam was prepared by the doctor and the petitioner has got no concern in preparation of the said report, on the basis of which it is said that in one of the reports, the injuries were found to be simple in nature, however in the other report, the same was found to be grievous in nature. He further submits that the petitioner has got no concern with preparation of the injury report and it is in the domain of the doctor to prepare the same.



He further submits that the petitioner is running his pathology centre and the report was prepared by the doctor, namely Dashrath Thakur, in which the petitioner has got no role. He further submits that even during course of investigation, it has not come that the X-Ray report was manipulated. He further submits the petitioner has got a clean antecedent.

5. Per-contra, the learned counsel for the informant opposes the prayer for bail of the petitioner and submits that the petitioner, in connivance with the doctors got two injury reports prepared of the accused Sarfaraz Alam with regard to Kesariya P.S. Case No. 568 of 2023. She submits that in one of the injury report, the doctor opined the injury to be simple in nature and in the another injury report, the same injury was found to be grievous in nature, caused by sharp cutting weapon. She submits that the X-Ray report, on the basis of which the injury was found to be grievous in nature were given by the Maa Vaishnavi Pathology Centre where the X-Ray was also conducted and therefore, the same was in connivance with the petitioner.

6. The learned APP for the State also opposes the prayer for bail of the petitioner.

7. Having heard the rival submissions and after going through the records, it appears that the petitioner is the



owner of the Maa Vaishnavi Pathology Centre at Kesariya and X-Ray, on the basis of which it has been alleged that injuries were found to be grievous in nature, was given by the doctor, who was engaged by the petitioner to give blood and X-Ray reports and the petitioner has got no concern in preparation of the X-Ray report or even the injury report, which has been brought on record along with the case diary, which suggests that the same was prepared at the Primary Health Centre at Kesariya on 25.11.2023. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Kesariya P.S. Case No. 124 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail



bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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