

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57875 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- KHARIK District- Bhagalpur

Suraj Kumar Son of Shambhu Thakur Resident of village - Pratap Nagar
Kadwa, P.S.- Kadwa, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 16-01-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Kharik
P.S. Case No. 265 of 2024, instituted for the offences punishable
under Sections 105, 319(2), 318(4), 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Sections 15(2) of the Indian Medical Act.

3. The prosecution case, in short, is that informant
alleged that his mother died during an operation at an illegal
medical centre in Bhagalpur on 09.11.2024. the centre had taken
Rs. 35,000/- for the surgery and his mother died during the
procedure, after which police conducted a post-mortem and
registered the case.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Mukesh Kumar and the same has got no evidentiary value. It is next submitted that the petitioner is a student of G.N.M. Course of Leader Institute of Higher Education at Samastipur and the petitioner has got no concern either with the alleged occurrence or with Vishwakarma Health Care Clinic and he was not present at the place of occurrence. The petitioner is in custody since 20.04.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 12.11.2025 passed in Cr. Misc. No. 54462 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kharik P.S. Case No. 265 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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