

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73192 of 2025

Arising Out of PS. Case No.-225 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Dr. Sudhir Kumar S/O Late Saryug Prasad R/O 31 MIG Colony, Kankarbag,
Sampatchak, P.S.- Kankarbagh, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Nilima Sinha, Advocate Mr. Vivek Kumar, Advocate
For the State	:	Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-01-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 304 and 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that wife of informant, namely Anita Devi, had gone for family planning operation before the Motipur Primary Health Center on 14.09.2020 and this petitioner conducted the operation and one Puja Kumari took care of wife of informant. It is alleged that due to medical negligence of this petitioner and co-accused Puja Kumari, wife of informant died.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. At the relevant time, petitioner, having valid license and educational qualification, was posted as Health



Officer in the Motipur Primary Health Centre and conducted the operation as per standard medical procedures. As a matter of fact, after some time of the operation, the health condition of wife of information deteriorated and thereafter, she was carried to another hospital in an ambulance and on the way, she died and only with a view to extort money from the petitioner, this false and concocted case has been lodged. There is no evidence on record to show that there was any negligence on the part of this petitioner. Simple because the patient did not respond favourably or surgery failed, petitioner cannot be held responsible. There is no evidence to establish that petitioner failed to exercise the skill possessed by him while discharging the duty. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Motipur P.S. Case No. 225 of 2020, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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