

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74995 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- ROSHANGANJ District- Gaya

Lalan Prasad @ Dr. Lalan S/o Late Ram Das Prasad R/o Village - Guriya
(Raushanganj), P.S - Raushanganj, District - Gaya, State - Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Tiwary, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Mritunjay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-02-2026 Heard Mr.Ranjeet Tiwary, learned counsel for the petitioner and Mr. Mritunjay Kumar Singh, learned counsel for the informant as also Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioner is apprehending arrest in connection with Raushanganj P.S. Case No. 98 of 2025 instituted under Section 105 of Bhartiya Nayay Sanhita, 2023 lodged on 24.06.2025 by the informant, Mahesh Yadav.

3. As per the prosecution story, the informant alleged that his wife was ill, taken to the petitioner but after he gave some medicine, her condition deteriorated, the petitioner took her on his own car for better treatment to Sub-Divisional Hospital, Sherghati but she died as declared by the hospital. On



several occasions, he wife was cured by the petitioner. This time, she died and as such the license of the petitioner be enquired into.

4. Learned counsel for the petitioner submits that he is registered with the RMP council after satisfying the said council, though at times on personal request, the medicines were given to the lady, on that particular day, no such medicine was given. When he came to know that she is ill, in his own car, took her to the hospital and after the death now he has been implicated. The informant, later realizing the fact that the petitioner has no role in the matter, both parties have come to the compromise and as a goodwill gesture, the petitioner himself has offered Rs.1,00,000/- to be paid to the informant by way of Demand Draft issued by the local branch of the State Bank of India.

5. Learned counsel for the informant submits that as his wife died, under apprehension, the FIR has been lodged but now they have come to terms.

6. Learned APP has taken this Court to the case diary to show that the post mortem report records that the viscera has been preserved for chemical analysis from the FSL.

7. Considering the aforesaid submissions of the



parties as also the petitioner do not have criminal antecedent, the cause of death has still not been ascertained, investigation is on, an undertaking has been given that the petitioner shall be cooperating in the said investigation, this Court has also taken note of the development between the parties, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to the payment of Rs.1,00,000/- which is to be paid to the informant by way of Demand Draft issued by the local branch of the State Bank of India.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Raushanganj P.S. Case No. 98 of 2025 to the satisfaction of learned Judicial Magistrate 1st Class, Sherghati, Gaya subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police



station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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