

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75665 of 2025

Arising Out of PS. Case No.-373 Year-2025 Thana- SHERGHATI District- Gaya

Kiran Devi W/O Hirday Paswan Resident Of Village- Pananiya, P.S.- Banke
Bazar, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-02-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sherghati P.S. Case no. 373 of 2025 registered under sections 319(2), 318(4), 105 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that he took his wife who was in the family way for delivery of the child to the clinic of one Dr. Kundan Kumar where the petitioner was a nurse. It is stated that at the instance of the Doctor and the petitioner, the Doctor made an attempt to carry out a normal delivery and because of his incompetence, while the child died, the mother and the child had to be taken to another hospital for further treatment.

4. Learned counsel for the petitioner submits that the petitioner who happens to be a help/nurse in the clinic has been



falsely implicated in the case. From the recital in the FIR itself, it would be evident that the patient had been taken to the clinic of Dr. Kundan Kumar and not the petitioner. The petitioner is in custody since 29.8.2025 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, the petitioner having been said to be a nurse in the clinic of the Doctor where the delivery of child of the informant went wrong together with the petitioner, who is a lady, being in custody for five months since 29.8.2025 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Sherghati P.S. Case no. 373 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Gaya.

(Partha Sarthy, J)

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