

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4501 of 2025**

Arising Out of PS. Case No.-168 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Dr. Randhir Kumar @ R. Kumar S/O Sri Rajendra Prasad R/O Village-
Loknathpur Ganj, P.S- Dalsingsarai, Distt.- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sonu Kumar Paswan S/O Suresh Paswan R/O Village- Dhepura, Ward No. 28, P.S- Dalsingsarai, Distt.- Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Surya Narayan Roy, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, SPP
For the Informant	:	Mr. Mahendra Pratap, Advocate

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

ORAL ORDER

3 12-02-2026 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 16.10.2025 passed by learned Special Judge, SC/ST (PoA) Act, Samastipur whereby the prayer for bail of the appellant in connection with Dalsingsarai PS Case No. 168 of 2025 instituted under Sections 125, 109(1), 352, & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(i)(r) (v) of SC/ST Act was rejected.

3. The prosecution case, in brief, is that the informant alleges that due to negligent and wrongful treatment by the



appellant (doctor) during a uterus operation at Sakshi Hospital, his wife's condition deteriorated and she suffered serious complications requiring referral to AIIMS Delhi. It is further alleged that the doctors misbehaved with the informant.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel submits that there is no ingredients of Section 109(1) of the Bharatiya Nyaya Sanhita, 2023. The appellant, a registered and reputed medical professional, properly treated Phool Devi, who was discharged in healthy condition on 05.10.2024. Allegedly, after her discharge, the informant and his brother demanded Rs. 4 lakhs, and upon refusal, falsely instituted the present case with malafide intention. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 21.09.2025 and has two criminal antecedents.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the



petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 16.10.2025 passed by learned Special Judge, SC/ST (PoA) Act, Samastipur is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dalsingsarai PS Case No. 168 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the appellant.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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