

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82859 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- SURYAPURA District- Rohtas

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K. K. Gupta @ Krishna Kumar Gupta @ Krishna Kanu @ Krishna Gupta @
Krishna Kumar Kanu S/O Late Mahendra Kanu R/O Village - Kochas, Ward
No.- 12, Old Bazar, P.S- Kochas, Distt.- Rohtas. Present add.- Vil.-
Nawanagar, P.S- Nawanagar, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rang Nath Dwiwedi, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in
connection with Suryapura P.S. Case No. 09 of 2025 instituted
for the offence under Sections 105 and 3(5) of BNS.

3. The case of the prosecution is that the wife of the
informant who was pregnant, was admitted in Samarpan
Hospital where this petitioner was a doctor and that due to his
negligence, she died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case. Moreover, he is languishing in
judicial custody since 20.03.2025.



5. On being asked, learned counsel for the petitioner has submitted that the petitioner is not a qualified doctor rather he is rural medical practitioner. The petitioner is not a doctor and he has performed a surgery on the person of the deceased which is also apparent from the postmortem report. The doctors conducting the postmortem have found stitched wound found below umbilical region, total seven stitches found, paper tape found on both lateral (right and left) side of lower abdomen. The allegation against this petitioner is that he has conducted operation on the person of the deceased and from postmortem report also, the allegation is substantiated and as the petitioner is not a doctor, it is not a case of negligence rather it is clear cut case of murder.

6. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioner is also having criminal antecedent of one case.

7. Having heard the learned counsel for the parties and considering the facts and circumstances of this case as stated above, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

8. However, the petitioner will be at liberty to renew



his prayer for bail after six months if the trial is not concluded.

9. Learned trial court is directed to expedite the trial
and conclude the same within the period as stated above.

(Ashok Kumar Pandey, J)

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