

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4762 of 2025

Arising Out of PS. Case No.-191 Year-2025 Thana- BAHERI District- Darbhanga

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1. Krishn Kumar @ Krishn Kumar Ram S/o Late Ramesh Ram R/o Village - Manorpur Bhouram, P.S - Biroul, District - Darbhanga
 2. Sarswati Devi @ Sarswati Kumari W/o Dinesh R/o Village- Manorpur Bhouram, P.S - Biroul, District - Darbhanga
 3. Ranjit Kumar S/o Baiju Bhagat R/o Village and P.S - Baheri, District - Darbhanga

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunil Manjhi S/o Sanjay Manjhi R/o Village - Manorpur Bhouram, P.S - Biroul, District - Darbhanga

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajeev Ranjan, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 09-04-2026 1. Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 30.10.2025 in SC/ST A.B.P. No. 13 of 2025 passed by the learned Exclusive Special Judge, SC/ST (POA) Act, Darbhanga in connection with Baheri P.S. Case No. 191 of 2025 registered under Sections 103(1), 318(4), 61(2) and 3(5) of the BNS, 2023 as well as Sections 3(2)(v) of the SC/ST Act.



3. Learned counsel appearing on behalf of the appellants submits that appellants are persons with clean antecedent and appellant no. 2 is a woman and the informant alleges that his wife (Manisha Kumari) was pregnant and on 14.05.2025 she had labour pain, hence, she was given medicine on advise of Aasha but the pain did not subside, hence, she was taken to the PHC, Baheri from where she was referred to the DMCH. Since the wife of the informant was suffering acute pain in her chest after taking the medicine, hence, was taken to Surya Clinic where Dr. Katar operated her and a stillborn child was taken out but Manisha Kumari also died, accordingly, the police came and on inquiry, it transpired that Surya Clinic was operating illegally in connivance with Krishna Kumar, landlord Ranjeet, Aasha Saraswati and Dr. Amit along with others and the clinic is involved in extorting poor patients by operating them.

4. Learned counsel appearing on behalf of the appellants submits that appellants have been falsely implicated in the instant case. It is further submitted that appellants run the clinic but the operation was carried out by the Doctor. It is next submitted that the allegation that the Nursing Home is operating illegally is an exaggerated allegation.



5. Learned Special Public Prosecutor for the State opposes the prayer for anticipatory bail of the appellants and submits that off late Nursing Homes in the State of Bihar have mushroomed and they do not comply with the provisions of law and occurrence of the nature as alleged is very common. It is further submitted that there is no documentary evidence on record to substantiate with regard to the establishment of the Nursing Home i.e. whether the Nursing Home was established in terms of the Clinical Establishment Act or not. It is next submitted that what is not in dispute rather stands admitted is that Manisha Kumari along with the child died. It is further submitted that the case requires investigation and interrogation of the accused persons.

6. At this stage, learned counsel appearing on behalf of the appellants submits that appellants are not the Doctors on which learned Special Public Prosecutor for the State submits that the case of the Doctor would be considered when the same will be brought before the Court.

7. Considering the submissions made by the learned Special Public Prosecutor for the State, the Court is not inclined to extend the privilege of anticipatory bail to the appellants in connection with the aforesaid case.



8. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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