

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20409 of 2025

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Bijay Bhushan Prasad Son of Late Tulsi Ray, Resident of Village- Ramaiya, Police Station- Mohiuddin Nagar, District - Samastipur. At present residing at flat no-202, Vijay Shanti Vihar Apartment, Mahesh Nagar, Shiv Puri Road no-2 Manas Marg Patna 23 Mobile no 9934262647.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Director, Department of Health, Government of Bihar, Patna.
4. The Superintendent, Patna Medical College and Hospital, Ashok Rajpath Patna
5. Dr. Mahesh Prasad, Fathers name not known, Unit Head, Department of Orthopedics, PMCH, Patna.
6. Dr. Rahul Kumar, Fathers name not known, at present posted as Junior Doctor, Department of Department of Orthopedics, PMCH, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rani Shashi Bharti, Advocate

For the Respondent/s : Mr. P. K. Shahi, Advocate General

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-02-2026

The petitioner Bijay Bhushan Prasad has filed this writ petition in the nature of Public Interest Litigation seeking following reliefs:

“I. For issuance of a writ in the nature of writ of Mandamus or any appropriate writ/s, order/s direction/s direction for appointment of judicial Enquiry Commission in the matter of recent death of several patient at PMCH including Miss Awantika Roy a 3 years



child as a result of systemic negligence and inadequate healthcare infrastructure and nexus of Doctor-torts-Medicine Shopkeeper and other medical Staff.

II. For issuance of a writ of mandamus or an appropriate writ directing the state Government to fix accountability of Doctors/Administration responsible for the negligence.

III. For issuance of an appropriate writ directing the respondents to constitute an independent monitoring committee to oversee patient's safety and hospital management at PMCH.

IV. For issuance of an appropriate writ directing the respondent to award compensation to the family of the deceased for violation of their fundamental rights.”

2. Counter affidavit has been filed on behalf of respondent no.4-Dr. Aravind Kumar Sinha, the Deputy Superintendent, Patna Medical College and Hospital, Patna, stating in paragraph no.14, as follows:

“14. That four members enquiry committee made a proper enquiry in the matter mentioned above. After enquiry, the Chairman of the four members enquiry team through his letter dated 19.12.2025 as contained in the Letter No. 1047/Ortho/25 dated 19.12.2025 submitted the enquiry report dated 15.12.2025 to the



Superintendent, PMCH, Patna in which it has been mentioned and recorded by the enquiry team that the patient namely Miss Awantika (deceased) was properly and correctly treated at the PMCH, Patna and no negligence on the part of doctors involved in treatment has been found by the enquiry team.”

3. Having gone through the afore noted paragraph, it clearly reveals that not only an enquiry committee was formed, but also the enquiry report has been submitted and it was found that there was no negligence on the part of the Doctors in the treatment of the patient, who died unfortunately. The enquiry report has also been annexed to the counter affidavit.

4. In view of such counter affidavit filed, nothing more remains to be adjudicated in this Public Interest Litigation.

5. Accordingly, the same stands disposed of.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.02.2026
Transmission Date	NA

