

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.20 of 2026

Arising Out of PS. Case No.-223 Year-2022 Thana- KASHICHAK District- Nawada

Sonu Kumar @ Prince Kumar S/O Raj Kumar Paswan R/O Village-
Mirzapur, P.S- Pakribarawan, Dist.- Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. Jay Prakash Paswan S/O Late Kashi Paswan R/O Village- Uprama, PS-
Kashichak, Distt.- Nawada.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-07-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State. No one appears on behalf
of respondent no.2 inspite of service of notice.

2. The instant appeal has been preferred against the
order dated 4.11.2025 whereby the prayer for grant of
anticipatory bail of the appellant in connection with Kashichak
P.S Case no.223 of 2022 registered under sections 304, 418, 419,
336 and 34 of the Indian Penal Code, section 15(2)(D) of the All
India Medical Council Act, 1956 and section 3(2)(v)(r)(s) of the
SC and ST (Prevention of Atrocities) Act, 1989 was rejected by
the learned trial Court.

3. As per the prosecution case, the informant states that
he took his daughter Kajal Kumari for delivery at a clinic where



all the accused persons including one Dr. Ranjan Kumar and five other including the petitioner herein forcibly carried out an operation and as a result of negligence by the Doctors, the informant's daughter died. Thereafter, it is stated that Dr. Ranjan Kumar abused the informant in the name of his caste and all the accused persons escaped.

4. Learned counsel for the appellant submits that the allegations levelled in the FIR are false and concocted. The death of the daughter of the informant took place on way to the Government hospital due to lack of blood. So far as the clinic in question as described in the FIR is concerned, the same belongs to one Dr. Ranjan Kumar and not the appellant herein. Dr. Ranjan Kumar along with his wife and Rajesh Kumar have all been enlarged on anticipatory bail vide order dated 13.2.2025 (Annexure-3) passed in Cr. Appeal (SJ) no.2787 of 2023. The appellant has no criminal antecedent and the appellant himself belonging to schedule caste, no offence under the SC and ST Act is made out.

5. The appeal is opposed by learned Special Public Prosecutor for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the appellant



himself belonging to the category of schedule caste and grant of bail to the above named co-accused including Dr. Ranjan Kumar vide order dated 13.2.2025, the Court is inclined to allow the instant appeal.

7. The appeal is allowed and the order dated 4.11.2025 passed in Anticipatory Bail Petition no.2573 of 2025 by the learned Exclusive Special Judge, Special Court SC/ST (POA) Act, Nawada rejecting the prayer for anticipatory bail of the appellant is hereby set aside.

8. It is directed that the appellant above named, in the event of arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kashichak P.S Case no.223 of 2022 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 Exclusive Special Judge, Special Court SC/ST (POA) Act, Nawada.

(Partha Sarthy, J)

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