IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46552 of 2026

Arising Out of PS. Case No.-165 Year-2022 Thana- SUGAULI District- East Champaran

==========

Brijesh Kumar @ Sri Brijesh Kumar son of Kameshwar Prasad @ Kameshawar yadav Resident of village- Bhataha Kachari Tola, Sargatiya (Bhatahan Sargatiya), PS- Sugauli District- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

==========

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

4 20-08-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in the present case registered for the offences punishable under Sections 304/34 of the B.N.S.

3. As per the prosecution case, on 28.03.2022, the In-charge of Primary Health Centre, Sugauli, informed the S.H.O. about a woman's death at an allegedly illegal nursing home. On inspection of Vibhan Nursing Home, it was found that it was illegally operated by the petitioner, where the dead body of Arti Kumari was found. The nursing home staff had allegedly absconded, leaving the patient unattended, leading to registration of the FIR.

WEB COPY

4. Learned counsel for the petitioner submits that the petitioner is ready to compensate the family of the deceased by paying Rs. 10 lakhs towards the loss of the life, without accepting his guilt. Learned counsel further submits that petitioner has clean antecedent and he is in custody since 16.04.2026. The petitioner undertakes to co-operate in the case/ trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on ***provisional bail for one month*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari /concerned Court below in connection with Sugauli P.S. Case No. 165 of 2022.

7. It is made clear that the provisional bail granted to the petitioner shall be subject to the condition that he shall pay a sum of Rs. 10,00,000/- in two monthly installments, amounting to approximately Rs. 5,00,000/- per installment. The bail bonds of the petitioner shall be accepted only upon his producing a demand draft of Rs. 5,00,000/-, being the first installment, in the

WEB COPY

name of the husband of the deceased, namely, Santosh Kumar.

8. Upon payment of the entire agreed amount of Rs. 5,00,000/- to the husband of the deceased, namely, Santosh Kumar, the provisional bail granted to the petitioner shall be confirmed.

9. The aforesaid payment shall be handed over to the husband of the deceased, namely, Santosh Kumar, upon proper identification.

10. The provisional bail shall further be subject to the condition that, at the time of furnishing the bail bond, the petitioner shall file an affidavit undertaking that he shall not engage in any business relating to the medical treatment of patients. In the event of violation of the said undertaking, the bail bond of the petitioner shall be liable to be cancelled.

(Sandeep Kumar, J)

tusharika/-

U		T	

WEB COPY